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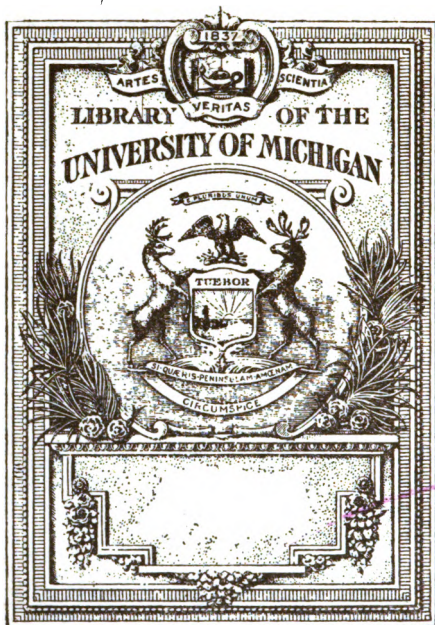
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DIVORCE

BEING A DEFENCE OF THE AMERICAN PEOPLE
AGAINST THE CHARGE OF MORAL DETERIORATION

BY

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TO
J. MADISON TAYLOR, M.D.
COMPREHENSIVE IN MENTAL GRASP,
JUST IN JUDGMENT

Re-classed

PREFACE

THE following paper was suggested by paragraphs from sermons by two clergymen, which were circulated by the Associated Press a few months ago, and in which, in discussing "Divorce as a Reflection upon American Civilization," it was said:

"If Christianity is the highest type of civilization (and who can deny it?), then is it not true that we are retrograding instead of advancing on certain lines? . . . There is a social scourge more blighting and more destructive than Mormonism. . . . A lady, prominent in social life, once said to me in Newport, 'I do not recognize any law, human or divine, that can deprive a husband or a wife of the right to separate *and enter fresh espousal*, when they do not live in harmony together.'"

This is given in all seriousness as an illustration of the views in reference to divorce and marriage "held by women in *good* society in America."

The reader will observe that the words cited are put into the mouth of *one* American lady, as if representing the views of all the women of America, and also as an expression of the *ne plus ultra* of wedlock among us; for was it not said by a lady in Newport?

The next quotation declares:

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"Divorce and the lax views of matrimony which came in with Martin Luther and Henry the Eighth, of England, and which imply denial of faith in the Catholic belief in marriage as one of the seven sacraments, are the cause of American moral deterioration."

Both of these excerpts were given the widest circulation through the instrumentality of the first page in the daily papers, and were evidently intended as an expression of what their authors are pleased to regard as one of the many evils resulting from separation from the Latin Church.

In the present paper the author aims to show that, in spite of the *apparent* frequency of divorce among our people, America is not deteriorating, morally, mentally, nor physically; that the polyandrous person, holding such views as those quoted about the flexibility and instability of the marriage relation, could not be a lady prominent in *good* social life in America; that divorce did not come in with Martin Luther and Henry the Eighth, of England; that where the people of the reformed faith have one cause for divorce, *a vinculo matrimonii*, the people of the Christianity that existed exclusively before Martin Luther's time had at least ten, and that instead of the world's getting worse, the *society* of the most conspicuous divorcées among us,—usually persons of no fixed religious faith worth quarreling about,—with its puerilities and legally limited matrimonial perversions, is one of paradisiacal and impeccable innocence as compared with the *best* society

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of pre-Reformation days, when everybody believed marriage a sacrament.

It is in defense and vindication of our tolerant and liberal belief, mixed up as it is with all precious things, — the betterment of the world, the legitimate delights of life, its responsibilities, cares, and holy aspirations, — that we attempt in the following pages to show that such reflections and assertions as we have quoted are not facts, but slanders.

In writing this book about divorce, for convenience of allusion we have divided Christianity into three sections,— Primitive, Medieval, and Modern.

Primitive Christianity had to do with the religion of Christ, His apostles, and their immediate disciples, as found recorded chiefly in the New Testament, and covers a period of perhaps a hundred and fifty years. Medieval Christianity prevailed in gradually ascending power from the slow subsidence of primitive simplicity to the time of Luther. Then, as a great politico-religious system with various fortunes and multitudes of schisms,— the one counting the greatest number of noses always being declared the only orthodox one,— it controlled the destinies of nations and arrogantly put its foot upon the neck of kings.

Modern Christianity, broadly speaking, began with Huss in Bohemia and Wycliffe and Tyndale in England, extended to Savonarola in Italy, found its most effective advocates in Luther, Melancthon, and Zwingli in Germany — perhaps with the aid of Eras-

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mus, who only criticized but never left the "Mother Church,"—and attained its zenith or apogee in England during the reign of the infamous Henry VIII. This king was born, bred, lived, and died in the communion of the Catholic church, having received from the then ruling pope the title of "Defender of the Faith" for having advocated the doctrine of the seven sacraments against Luther. An interesting episode in the development of the divorce problem has to do with this same Monarch, married by church authority, contrary to her own teachings, to Catharine of Aragon, his brother's wife. The church refused afterward to divorce him, because of his qualms of conscience engendered by study of the doctrine of the seven sacraments. Yet, centuries afterward, it declared that he was never married to her, and consequently never needed a divorce. See Anthony Froude's "Short Studies of Great Subjects," article on Henry VIII.

Modern Christianity began with many reformers, the most prominent of whom was Luther, a converted monk. In its effort towards righteousness it aimed to shed the shackles, or cast off the burden, of superimposed rite, ceremony, and elaborate ritual,—the ever growing accretions of warring centuries,—and to return to the simplicity of the early church,—that is, the primitive community of the first and of a part of the second century, as exemplified in the life and teachings of Christ, His apostles, and their immediate disciples, as inculcated in the New Testament.

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This classification is not inflexibly scientific, nor does it claim perfection in the matter of dates, nor in omitting the names of the many eccentric sects into which the church was divided before Luther. But it will serve its purpose in making our allusions more easily understood, without the aid of tedious circumlocution.

Marriage and divorce, and especially Christian marriage and divorce, having to do with religion, the author has found it impossible to avoid in discussing it the use of church circumstances,—councils, decrees, creeds, social usages, the derivatives of marriage and its opposite, celibacy, and the far-extending influence of ecclesiastical decisions.

We must not allow ourselves to be deceived in regard to the authority of the Old and of the New Testament, the sole authority of the Modern church, in regard to conduct and belief. It does not matter materially which of the better known translations is accepted in order to discover what Christianity meant at the time of and immediately subsequent to Christ. Your favorite may be the Septuagint, into which the original Scriptures were first molded; or the Vulgate, St. Jerome's translation from the Greek into Latin; or the Douay Bible, which is a rendering of the Latin of St. Jerome into English, and is the translation approved by the Catholics.

Or your choice may be the metaphrastic interpretation, upon which was concentrated the combined scholarship of forty-seven carefully selected English

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divines for a number of years. At intervals they came together to compare their painstaking transcriptions, — resettings, we might almost say, — of the Word with one another and with all other translations, taking advantage equally of the discrepancies and excellencies of the works of their various predecessors. This is known as the King James' version, because it was done into English during the reign of James I, of England.

Or your preference may find its greatest satisfaction and solace in the splendid and, to us, most spirited translation of Martin Luther, who did as much, on the whole, in giving the world a good working translation of the Bible as any of his forerunners. As an intellectual effort, Luther's interpretation was the greatest feat of all. Besides, it gave definiteness, stability, and form to the German tongue, which until then was but a conglomeration of *patois*.

They are all, however, about the best that could be made under the circumstances, their occasional differences not being materially essential. No two translations of any book into another tongue could be exactly alike; yet they could express exactly the meaning of the author. All the translations mentioned, without exhibiting a stupid verbal uniformity, are equally profitable "for reproof, for correction, and for instruction in righteousness."

Do not, then, be misled by anyone's telling you that much depends upon the translation accepted as authority. He is either personally ignorant of the sub-

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ject, as far as having compared the various versions of the original is concerned, or is but repeating what someone has told him. Avoid such an adviser, as he is either a blind or a sophistical leader of the blind.

The first manuscripts of the books of the New Testament of which, at one time, there existed about 40,000 copies, and from which the accompanying quotations were directly or indirectly made, were in general use in the early church. But they were not gathered under one head, with the collective name "New Testament," until some time in the fifth century. Until then the Old Testament, equally among Christians and Jews, was the authority chiefly depended upon. That there were errors in these ancient copies of isolated parts of the newer Scriptures cannot be denied. They were due variously on the part of the scribes or copyists to imperfect sight, hearing, or judgment; to inattention, false abbreviations, and wrong divisions of words. Errors were also due to *cassodes linearum* — that is, to letters filling up sometimes the vacant spaces at the end of lines, and to marginal notes being taken by the transcriber for the original text.

There were other reasons also to which errors of transcriptions might be credited.

The early believers, interested in more serious things, — preaching, salvation, exhorting, and the like, — gave but slight attention to verbal trifles, which consequently became so numerous that philologists since have discovered over 80,000 variations in ancient Biblical

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manuscripts, due to the above and other causes. Yet one astounding fact remains,—that notwithstanding these “flimsy verbal fluctuations,” with one or perhaps two exceptions, no *essential* difference exists, or in all probability ever did exist, in the various books making up the New Testament.

There is no important disagreement in the various translations of the Bible. We do not know one that is not an honest and devout attempt on the part of the translator to convey the meaning of the original into another tongue, and that did not have for its object the salvation of man. This would apply to all the translations of the Bible, whether done by Catholic, Protestant, or Jew. There is no evidence of an attempt on the part of any of the great scholars to twist their translation into a recognition of their denominational views, except that modern so-called Catholic Bibles sometimes contain marginal elucidations, for the Medieval church, as a rule, has persistently maintained an opposition to the general circulation of Holy Scripture without such ecclesiastical comment.

There is no such thing as a “Protestant Bible,” or even a “Catholic Bible,” except in the above sense. There are translations made by Catholics and Protestants; but this no more makes them Catholic and Protestant Bibles,—if the translators were honest men,—than a translation by a negro scholar makes the Bible a negro Bible, or than translations made by a man with a hairlip, or club feet, or a wooden leg would

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be a Bible intended for persons with such deformities.

The habit of applying the prefix Protestant to a translation of the Bible is generally done to excite antagonism and prejudice by men interested in keeping the Bible out of the reach of the laity, or the common people, as they call them. Any person with half the eye of a philologist could hardly help but see that the numerous translations of the Bible only express a sincere and devout wish on the part of the translator to convey correctly into another tongue the meaning of the original text. The merest neophyte in linguistics knows that no two translations of any book could, by any possibility, be exactly alike; yet this fact is taken advantage of by interested arrogance to hoodwink the illiterate. On the whole, there is no book that has ever been more accurately rendered into another tongue than the sacred Scripture of the Old and New Testaments.

The various Bible societies of the world, having no purpose in the distribution of Bibles but that of bringing men to God, are so aware of this fact that colporteurs when traveling in Catholic countries, or in the Catholic part of countries not altogether Catholic,—in Ireland, for example,—are instructed to supply applicants with “Catholic Bibles,”—that is, the Douay,—where they do not want the King James version. The preference of Bible societies for the King James version is simply because it is the better

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translation, exhibits greater scholarship, and comes nearer the original.

The citations we give of the words of Christ as recorded in St. Matthew and St. Luke, and which must be final with Christians as the sole authority for divorce are from what are conceded by scholars to be the five best translations. The Greek is from the Tischendorf edition, published by Tauchnitz. We have not quoted the paraphrastic rendering of Erasmus, because it did not make claim to particular verbal accuracy; besides, among the hypercritical, like the English translation of Tyndale, Coverdale, and Wycliffe, it has become obsolete.

The next quotation is from the Vulgate made by St. Jerome, with perhaps the aid of others, from the Greek into Latin.

Then we give the same passages translated into English from St. Jerome's Latin version, known as the Douay Bible, because it was done by several English Catholic exiles in 1609-1610, in the French town of that name. This scholarly translation forms the standard English Scripture of the Roman Catholic or Medieval church.

The next quotation is from the splendid translation of Martin Luther. We select this with great pleasure, first, because of its being our own favorite rendering of the Bible into a modern tongue,—a truly inspired version; and, second, because it is the interpretation universally esteemed by German scholars as a master-

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piece of interpretation, displaying qualities far superior to those ordinarily expected in a translation,—deep insight, true sympathy with the tone of the Hebrew Scriptures, and a perfect command of clear, popular language. Indeed, every one who can thoroughly appreciate the merit of this great work will be ready to excuse the boldness of the assertion that it was rather a re-writing than a mere translation of the Bible,—a transfusion of the original spirit into a new language. So popular was it that it took like wild-fire in Germany. One bookseller alone, notwithstanding the enormous price of books in those days, sold 10,000 copies.

After Luther we present the not so well known, but fine, translation of the celebrated Hebrew linguist and theologian, Emanuel Tremelius, converted to Christianity by Peter Martyr, who translated the Hebrew Bible and the Syriac Testament into Latin, and who died in 1580.

The next quotation is from the interpretation known as the King James version, recognized by modern Christians as a superior and admirable rendering into good English of the original text.

By studying these various quotations, it will be observed that they all agree in meaning, and show that, although the Medieval church devoted centuries of contention to the decision of what Christ meant by divorce and marriage in the verses quoted, she even then decided wrong.

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Christ implies that marriages are only dissolved by adultery on the part of the wife, when the husband may marry again without violating Christian ethics. The Medieval church declares that if any one says that marriage is annulled by adultery, or any other cause, let him be anathema. The Bible and the Modern church permit separation for periods of various duration, for other causes until they are corrected. But during the time of separation they are still man and wife. Nothing separates them, with the privilege of re-marriage, but violation of the seventh commandment or death.

This is the Bible and Modern Christian law of marriage and divorce. Nor does the believer need other legislation on the matter, except for protection of life or property. Other laws than these, if necessary, are necessary only for those that do not believe in the authority of Christ. That marriage is the most sacred and holiest of all contracts no normal man, Christian or not, denies.

PHILADELPHIA, PA.

We give below the words of our Lord — see Matthew xix chap., 9th verse — as translated into four leading languages, from which it may be seen that although the Medieval church does, Christ does not, forbid divorce with the privilege of remarriage if the husband desires it, when the wife is guilty of breaking the seventh commandment.

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Λέγω δὲ ὑμῖν, ὅτι ὅς ἂν ἀπολύσῃ τὴν γυναῖκα αὐτοῦ, εἰ μὴ ἐπὶ πορνείᾳ, καὶ γαμήσῃ ἄλλην, μοιχᾶται· καὶ ὁ ἀπολελυμένην γαμήσας μοιχᾶται.

VULGATE: Dico autē vobis, quia quicumque dimiserit uxorem suam, nisi ob fornicatione, et aliam duxerit, mocchatur; et qui dimissam duxerit, mocchatur.

TREMELIUS: Dico autem vobis quod qui deserit uxorem suam quae adulterium committit: et., qui accipit desertam committit adulterium.

DOUAY: And I say to you, Whosoever shall put away his wife except it be for fornication and shall marry another, committeth adultery: and he who shall marry her that is put away, committeth adultery.

MARTIN LUTHER: Ich aber sage euch: Wer sich von seinem weibe scheidet (es sei denn um der Hurerei willen) und freiet eine andere, der bricht die Ehe. Und wer die Abgeschiedene freiet, der bricht auch die Ehe.

KING JAMES: And I say unto you, Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery.

DIVORCE

CHAPTER I

THE desire to obtain release from the bonds of matrimony has existed at all times, and under all religious and legal systems. It is not an American invention, as some seem disposed to believe. Nor are native-born Americans its greatest practitioners, nor is it a custom to which Protestant Christians are at all addicted.

The enactment of laws controlling marriage constituted a subject that shook the Christian world to its core long before the Reformation, and the question is not mutually settled yet between clergy and laity, or between ecclesiastical and civil authorities in Catholic countries, since in most of them,—France, Belgium, Mexico, Austria, and even Italy,—the state does not recognize marriage by the church as being adequate, while the church refuses to accept state or civil weddings as marriage at all, so that still there are disagreements and constant conflicts on the subject in many Catholic lands.

Before the Christian era divorce was permitted alarming latitude under the older laws. According to both Josephus and St. Jerome, the woman divorced was to have from her husband "a writing" which said, "I

16 promise that hereafter I will lay no claim to thee." This was called "a bill of divorce" and it abrogated the union forever; so that matrimonial annulment was a much easier matter then and until the end of the sixteenth century, even in Christian lands, than at any time since.

That the people in olden times did not take more frequent advantage of it than they have done in some places subsequently was not because they were more virtuous, but because they were less particular in such matters, as, until the advent of the new woman, and the Reformation, marital morality was not a prevailing trait.

The laws regulating marriage and divorce through the ages have been very varied and have been expressive of the characteristics of the people making them. With the Romans, always in need of men for their conquering armies, childlessness was a cause for divorce, while the Cretans, less in need of soldiers, granted legal separation to a man when he was merely afraid of having too many children. Romulus, long before the church enacted a law prohibiting a wife from being divorced from her husband, no matter what happened, and another ruler in the old days made statutes which gave the man the privilege of turning his wife adrift "when she poisoned her children," "counterfeited his private keys." Thus all sorts of anomalous legislation was done in connection with wedlock, as we shall see, even in Christian lands through the centuries, notwithstanding the dictum

Christ, which declares that "whosoever shall put away his wife, except it be for *fornication*, and marrieth another committeth adultery, and whoso marrieth her that is put away committeth adultery." The Spartans almost never divorced their wives, and it was considered extremely scandalous for a wife to leave her husband. The Athenian law allowed a man to divorce his wife, but he either had to return her marriage portion, or else pay nine oboli a month for alimony.

The law of Moses, some say for reasons of local expediency, permitted the Jewish husband to put away his wife, but whether for every cause or for what cause appears to have been controverted among the interpreters of those times. Christ, the precepts of whose religion were intended for more general if not universal use, revokes this permission as given to the chosen people "because of their hardness of heart; but from the beginning it was not so," and promulgated a law which was henceforth to confine divorce to the single cause of adultery in the wife. (In these days there are few people more loyal to wedlock than the Jews, and there is but very seldom divorce among them. Polygamous in the old times and uncondemned by Scripture, they have become monogamous as a matter of social evolution, and they accept the law of the land as the proper arbitration in the matter.)

Inferior causes, according to Christ's teaching, may justify the separation of husband and wife, although they will not authorize such a dissolution of the marriage contract as would leave either at liberty to marry

again, since it is in that liberty that the danger of divorce chiefly lies.

The Catholic church now, and since the Council of Trent, contrary to the teaching of Christ, does not allow divorce *a vinculo matrimonii*. No matter what the offense of the contracting parties, the contract is indissoluble.

The law of Great Britain, the Church of England and all other orthodox Protestant churches, notwithstanding the abuse of the liberty of Christ occasionally practiced by certain malodorous clergymen, in conformity to our Saviour's injunction confines dissolution of the marriage contract to the single cause of adultery in the wife; and in England a divorce even in that case can only be brought about by the operation of an act of Parliament founded upon a previous sentence in the Spiritual Court, and a verdict against the adulterer in common law. It is also contrary to law in England for the offending party to marry the partner of his crime.

Sentences in the ecclesiastical courts in England which release the parties, by reason of impuberty, consanguinity within the prohibited degree, prior marriage and the want of the requisite consent of parents or guardians, are not dissolutions of the marriage contract but judicial declarations that there was no marriage.

The rite itself in England contains an exception to these impedimenta, since the candidates for the ceremony of marriage are charged that "if they know of any impediment why they may not lawfully be joined

gether to confess it," "or else," as we sometimes add, "forever after hold your peace." And they are assured that "so many as are coupled together otherwise than God's word doth allow, are not joined together by God, neither is their matrimony lawful." This is the very quintessence of wisdom, connected with Christian wedlock. It is consistent with the teaching of Christ and is the belief, as a rule, of all orthodox Christian churches.

Yet so little does this seem to be understood that lately a Catholic lawyer, whose daughter ran away with his coachman, threatened that if his church did not grant her a divorce, he would have her turn Protestant, when she would have no trouble in that direction. Like many other people who ought to know better, he did not distinguish between Protestant and Protestant Christian.

Among most non-Christian people,—the Jews perhaps excepted,—and the rank and file of Christians up until about the sixth century—and there were no Christians then but orthodox Catholic Christians—marriage was practically regarded as little more than a conventional union, to be observed as long as it suited the convenience of the contracting parties, when it was dissolved, usually without legal process or scandal.

The reason we hear so comparatively little about it in sensational capitals from the old times is simply because it was regarded as a matter hardly worth mentioning, except in church councils or as a joke, especially in such books as those by Rabelais, "The

Decameron," or "Le Roman de la Rose," and violation of the marriage vow was so common that it seldom elicited serious notice, instead of as sometimes with us, when it is made a matter of almost international proclaim, showing thus how much more scrupulous we are in the matter than were the people of olden times.

Nevertheless, divorce, with the privilege of remarriage for other reasons than Scriptural, was so common in the early centuries of the Christian era, after the believers of those days had abandoned or forgotten the example of Apostolic Christianity, that the Emperor Justinian, an imperious intermeddler in ecclesiastical affairs — for politics and religion were far more mixed up in pre-Reformation times than they have ever been since — found it necessary in his great code, the Institutes and Pandects, called after his name, to prohibit divorce in the Holy Roman Empire from being obtained, except for three causes,—“first, impotency; second, when either party desires to enter a monastic life, and, third, when the husband was retained for a long time in captivity.”

This divorce was a *vinculo matrimonii*,—that is to say, it carried with it the unrestricted privilege of remarriage.

So obtuse on the matter of marital morality had people become that violation of the seventh commandment was not usually thought of sufficient moment to be mentioned in cases of divorce, unless a woman was the guilty party, and not always even then. This was a privilege, it would seem, granted to royalty and the

nobility in general by the "superior morality" of the past.

At a later period this early "Christian" emperor found the habit of annulling matrimony so common among his Christian subjects that as an additional preventive he had it enacted that "persons dissolving marriage by mutual consent should forfeit all their property and be confined within a monastery for life,"—in many cases, we imagine, a fortunate escape,—which monastery was to receive a third of the forfeited estate, the balance going to the children of the marriage, if there were any.

Scriptural violation of the marriage contract, the old orthodox reason for divorce, united with the privilege on the part of the "innocent party" to marry again, does not seem to have been of sufficient importance, according to Justinian and the united church, to found a divorce upon, notwithstanding the fact that Christ said: "Whosoever shall put away his wife, saving for the cause of fornication, causeth her to commit adultery: and whosoever shall marry her that is divorced committeth adultery" (Matthew v, 32). And again, "Whosoever shall put away his wife, except it be for fornication, and shall marry another, committeth adultery, and whoso marrieth her which is put away doth commit adultery" (Matthew xix, 9). And again, "Whosoever putteth away his wife, and marrieth another, committeth adultery: and whosoever marrieth her which is put away from her husband committeth adultery" (Luke xvi, 18).

In these quotations, spoken by the Founder of Christianity, and mentioned in three distinct parts of the New Testament by three different writers so that we have the strength of numbers testifying to its authenticity, the same principle of marriage is emphasized three times and as lucidly as light, so that there is no excuse for ignorance on the subject; and it might appear at least among Believers that this was sufficient to settle the question forever, without additional legislation.

Constantine the Great, however, after he became a convert to Christianity,—who sided, the learned reader will remember, with the orthodox party at the Council of Trent,—*increased the causes of marriage annulment* so liberally that a wife could divorce her husband “for attempting to murder her.”

This *was* generous, permitting merely a woman to protect herself from prospective slaughter, and especially at a time, too, when human life was so lightly considered; but he also enlarged the circle of his generosity so as to permit a woman to leave her husband when he was “a preparer of poison,” a profitable traffic this, in those early Arcadian days when poisoning one another was so much of a popular practice among the élite that it excited but passing notice.

Being “a violator of tombs” was also a cause for the sundering of marriage.

We have not been able to find out just what the term “violator of tombs” really implied, but it is frequently mentioned in ancient and medieval annals. Perhaps it

meant nothing more than robbing the dead of the trinkets and other personal belongings reverently deposited in the grave by surviving relatives; but it has been interpreted, too, as meaning something so very much worse,— something that could hardly be mentioned in a modern tongue without causing scandal.

Constantine has declared besides that the husband could repudiate the wife for “infidelity,”— also “for preparing poisons,” and for being a “procuress.” Being a procuress was quite a profitable profession in the social life of the long ago, publicly condemned, privately patronized, as we find stringent laws against it recorded in Christian countries all through their history without seeming to be able to suppress it any more than the “Thou shalt not bear false witness against thy neighbour” prevents mendacity.

The penalty for such an offense and the frequency of the crime express as nothing else could the barbarity and depravity of ancient Christian times among the faithful, uncontaminated by Luther’s Reformation, when people were as accustomed to fatal family feuds, unrequited injustice, and malignant persecution as the rocks of the shore to the beating of the tempest, as compared with the present, when we cannot kill a rat, except humanely, or waft a kiss to a friendly neighbor without scandal, or throw anything except the softest sort of a bedroom slipper at a midnight cat on a back fence without incurring censure, if not arrest for cruelty.

In the twelfth, thirteenth, and fourteenth centuries

procuresses were burned alive, and put in the pillory. They have been scourged and have had their ears cut off. They have been exposed naked all day to the jeers of the mob,—edifying spectacle,—and compelled to parade the streets of cities in a state of complete nudity, while the citizens were beating them with every variety of missile, until finally the hair of their entire body, after being saturated with blistering combustibles, was set on fire by flaming torches. And these inhuman penalties were not matters of impulsive and ferocious rage, as in our Southern States, but were very much to the taste of people moving in the highest social circles, themselves, if reliance may be put in contemporary literature, often the worst offenders.

These barbarities received the sanction of law and religion, and there were so many women of Mrs. Warren's profession,—for which these were the *legal* punishments in those superior times,—that it was found necessary to record it as a cause for divorce.

The pastime of pelting such agents of salacity with the refuse of the streets was as popular an amusement as attending executions was in Dr. Johnson's time, when Boswell "ordered a suit of black for hangings."

The husband, it would appear, could violate the seventh commandment with impunity, as far as divorce was concerned, but woe to the wife guilty of the same offense, if capital could be made out of it by the man vowed to be her protector.

In those dear old days of innocence that so many

limited even if æsthetic intellects sigh for (when pious Christian kings had their own bands of private and particular assassins and poisoners, to avoid the law's delay and insolence of office, or in order to secure more time for sanctifying prayer, and it was the mode without judge or jury to put violently, if not quietly, to death even members of their own families,—brothers, sisters, fathers, mothers,—as Justinian did his own son for merely *suspected* treason) the preparation of poison was a science, its administration an art, and its practice pervaded all varieties of *genteel* society,—and it was only the veriest plebeian, void of views, that realized the prerogative of dying naturally in bed.

Everybody claimed the privilege of poisoning his enemies, but the elect, without loss of social position, were permitted even to poison their friends.

It has even been said that Pope Alexander VI came to his death by having taken by mistake the poison he and his bastard son had prepared for certain members of his own household. Life did not seem to be valued highly then, although they did attach a great deal of importance to any fragment of the remains of a dead saint, and the much esteemed doctrine of the “sanctification of matter” was considered as important a part of religious ethics as care of the sick is now; indeed, more so, for people were cured of all sorts of distempers by merely having their diseased parts touched with any particle of the desiccated anatomy of the canonized.

By way of contrast, men, such as Charlemagne, that



"most Christian King of the Franks," put whole villages to death,—men, women, and children, and thousands of captives taken in battle,—for refusing to accept *his* particular brand of Christian religion. In those days of martyrs and saints, people followed strange callings, and the numerous grounds for divorce specified in various enactments are an interesting commentary on contemporary morals.

The lynching of a negro to-day by certain denizens of the South, when people of a whole countryside unite against a suspected, or not yet proved, offender, to burn him alive, without entailing the expense, thrifty souls, of engaging either judge or jury, in these days of "mawkish sentimentality" fills us with horror. Yet a lynching is but the mere act of an enraged nursery, the brutal barbarity of a few veneered savages, anachronisms, as compared with the wholesale slaughter and torture sanctioned by the best people and the church during the ages of Faith, when we are supposed on the contrary to believe that men were like so many stone images in niches, with their hands constantly folded in prayer, and that every woman wore a bag around her neck, containing alms for the poor, and lived in Elysian translucency.

CHAPTER II

SIMILAR causes for the dissolution of the bond of matrimony are to be found in the laws of Honorius and Theodorus in the fifth century, and also in those of Theodosius and Valentinian near the sixth.

All these legislators were orthodox, and Theodosius in particular was so much so, after the ancient manner, that his most enduring ambition was to extirpate by every means heresy, Judaism, and Paganism, and to convert the world to such Christianity as he only knew, — that is to say, such as was founded upon the example of the Holy Roman Empire rather than upon Christ.

Yet, to show that he was not exclusively one-sided, it was this same Valentinian “who, on account of the scandalous abuse by ecclesiastics of influence over their penitents, excluded priests and monks from the rights of succession in property.”

This Christian emperor later gave marriage political significance by extending the grounds of its annulment so as to permit the wife “to divorce her husband for conspiracy against the government,” and for attempting to make her a victim of manslaughter, a frequently mentioned perversion, for wife and husband murder was a common crime among the faithful even before the world was perverted by Martin Luther, John Cal-

vin, John Knox, Zola, Anatole France, or Bernard Shaw, or it was found necessary for the amusing Mr. Chesterton to assume the cap and bells as defender of the faith. Uxoricide in the old days was regarded, it would appear by its frequency, a commendably prompt way of getting rid of an uncongenial partner; it was at least expeditious, it did not take as long as the securing of a divorce, and besides it was cheaper.

A woman also, according to Justinian's code, could divorce her husband "for urging her to a life of shame." This, too, was a quite frequent practice on the part of husbands before the Reformation, as any one may learn by reading intimate contemporary history,—see the chapters on the "Renaissance" in Taine's "History of English Literature," Roscoe's "Life of Leo X," Martin's "Histoire de France," Ranke's "Geschichte Frankriechs," also "La Morte D'Arthur," "Le Roman de la Rose," the tales written for the unspeakably licentious but extremely pious Louis XI by the literary people of his period, and anybody's "Life of Catharine de Medici."

As an additional illustration of the vile moral obliquity of the people during, say, the thirteenth, fourteenth, and fifteenth centuries, as compared with the people of to-day, the favorite reading of the educated classes among the French and all people speaking the French language then was "Le Roman de la Rose,"—"a work of talent," it has been called, yet distinguished by cynicism of philosophy and obscenity of language. No portion of it is wholly free from bad

expressions, and it would be impossible to quote without censure fifty lines of it to-day, in a modern tongue, without finding oneself in the clutches of Anthony Comstock, behind prison bars, because of disregard for the common decencies.

The doctrine of the author with regard to women was the popular one then, yet so insulting and uncomplimentary that no man could express such views about women to-day, unless he were a Catholic priest, without incurring outlawry or imprisonment. Women were uniformly depicted as being restrained only by legal difficulties from giving way to the loosest passions, and all men in like manner were painted as "seducers, adulterers, and violators of innocence." Such was the reading of the best society in those "virtuous days," so highly extolled by overweening arrogance in sociologically somnolent America; yet this author bore the same relation to the educated classes then — there was not much education — that Shakespeare, Browning, and Tennyson do now, for enlightenment was not yet delivered from the incubus of medieval morality.

The literature of pre-Shakespearian times, or of the "Restoration" in England, vile as it was as compared with literature of to-day, was tame as contrasted with the unblushing depravity of earlier times; yet among modern centuries,—the eighteenth century,—it was most corrupt, if we form our judgments, as we must, from its memoirs, anecdotes, and miscellaneous writings.

When the source of efflorescence of the life of a

people,— its literature,— is tainted, what can be expected of the life? Not only literature but art partook of the general depravity of the old days. Even the façades and conspicuous parts of many of the great churches, especially in the south of France, were so disfigured with elaborately carved stone statuary, drawn from the lives of the monks and so indecent that modern modesty demanded its removal. Now it can only be seen by the curious in such matters, behind the locked doors of out-of-the-way rooms, in museums.

Other causes of divorce, according to the Justinian code, were “a husband’s taking another partner to his home, or going to any place with such a person,” and a husband could divorce a wife “for conspiracy against the government,” “for plotting against his life,” or “for going to parties or banquets with other men,” “for absenting herself from home without his consent,” or “for frequenting theaters, amphitheaters, or circuses without his permission.”

We may add that a theater in medieval times, as *sometimes* to-day, was a place for the exhibition of the drama, and a vile drama it was, so much worse than anything existing since or even during pagan times that it was finally condemned both by church and state, when the “morality play” came in by way of reaction, just as Puritanism followed previous excesses. An amphitheater was for sports and a circus had to do ostensibly with the display of feats of horsemanship.

Thus the reader may see the facility with which divorce was secured in those earlier centuries as com-

pared with present-day difficulties, when the badly mated have to resort to arduous lawsuits, banishment, exile, and all sorts of lying, deception, and speciousness, in order to secure marriage annulment. And then, even when successful, the lot of the divorcée is not a happy one, so that it might indeed have been better for her if she had lived in that more liberal past, in which most people suppose there was no such thing as marital misunderstanding and bitterness because the falsehood about divorces having come in with the Reformation has been repeated so frequently by blatant and interested ignorance that many people believe it.

All these and many other laws favoring divorce and the marriage of divorced people were created by rulers in good standing in the Christian church before the Reformation, to punish and prevent the delinquencies, not of heretics, but of the faithful.

It may also interest the reader to know that, at various periods before the Reformation, church laws in regard "to the *guilty party* forbade another marriage," which would seem to imply that the innocent participant in the contract before the Council of Trent was permitted remarriage according to New Testament authority.

CHAPTER III

THUS Christian rulers before the Reformation enacted laws increasing rather than diminishing the number of causes for the separation of wife and husband; and permitted even worse, for coincidentally with the consolidation of the kingdom of the Franks concubinage was an established institution, recognized by law and winked at by the church, so that the desire for divorce for a time may indeed have gone into desuetude, because of the authorized violation of New Testament marriage.

During Charlemagne's time all the Christian Frankish chiefs kept harems, only they were called by a Greek rather than an Arabic name,—*gynecea*. The chief had one proper wife and others, whose matrimonial ties were less clearly defined; and Charlemagne himself, "the pope crowned King of the Romans," seems to have seen no mischief in these *gynecea*. And besides, like the Borgian and certain other popes, also Dante, Benvenuto Cellini, Machiavelli, Petrarch, and most of the prominent men of the dark and subsequent ages,—to haphazard a few distinguished names,—he was by no means a Joseph himself.

He did not need, indeed, like Henry VIII, to cut off the heads of each particular wife before he thought

he had a right to take another. He had no special aversion, though, to decapitation, or even to drawings, quarterings, and burnings alive, for that matter. The English monarch, it would seem, had qualms of conscience about plural marriages, denied his great predecessor, and was singularly scrupulous as compared with medieval standards in this particular. Charles-magne, on the contrary, when he wanted a wife, took one of his courtier's, who was rather complimented than otherwise by his master's choice; and this did not seem at all to have elicited the condemnation of the spiritual advisers of that remarkable man, or to have prevented him from having died in the odor of sanctity.

Henry the Eighth, of England, was married to Catharine of Aragon, the former wife of his elder brother, Arthur, by whose death he became heir to the English throne; thus showing that some time before the merry monarch thought of being divorced from Catharine, or of opposing the authority of the church, she, the church, sanctioned *incest*, according to her own definition of incest, by marrying a man to his brother's wife. And this, I imagine, may not have been an uncommon practice in old times, notwithstanding the canon against it, for it may be remembered that the ghost of Hamlet's father refers to his brother as marrying his wife — the church must have performed the ceremony — as,

"That incestuous, that adulterate beast,
With witchcraft of his wit with traitorous gifts,—
 . . . won to his shameful lust
The will of my most seeming virtuous queen."

But this is fiction, yet founded upon previous facts, of pre-Reformation history.

We know more about Henry VIII — for abhorrence of his character is frequently expressed — than about many other much worse people, for with all his obnoxious intimacy with women, he was always careful to select comparatively good ones, women of mind as well, and his life is not nearly as saturated with sexual iniquity, bad as it was, as were the lives of many other royal transgressors, previously appearing in kingly circles, whose manifold iniquities have been condemned, with a mere shrug of the mildly protesting or amiably consenting shoulders, for in the old days, before the advent of too often unjustifiable divorce, adultery was a matter of course, in even the highest circles.

Among the rulers of France, that early daughter of the church, from Louis IX to Charles V the kings were reputable and encouraged virtue.

But when the sisters-in-law of Philip the Handsome horrified even wicked Paris by their loose life in the Toul de Nesle, the resort into which they were accused of making a practice of luring students, whom they assassinated when their lubricity was satisfied, the King had them publicly punished after a fair hearing.

When the depraved Charles VI ascended the throne, married to the more vicious Isabel of Bavaria, the pair encouraged every practice that could shock modesty or outrage decency. Their history is too vile

to be written about, yet it is put upon record to the disgrace of humanity.

Louis XI had a seraglio and a special colony of his own illegitimate children. His favorites were usually chosen from the lower class of his subjects, many of whom had gone through an apprenticeship for the King's service in the homes of prostitutes of the capital.

This devout and superstitious son of the church never pretended to bear the victims of his lust the slightest affection, but used them merely as he used the vile men of letters who composed for his diversion the lewd tales still extant.

Of Francis, Branhome asserts positively,—see “*Vies des Hommes*,” illustrated, by Bonnivet,—that his celebrated expedition into Italy was because of a desire to get acquainted with a courtesan of Milan, extolled by Admiral Bennoit.

Previous to this monarch's time we are told there had been attached to the court a body of prostitutes for the use of the courtiers. Francis abolished this body, and actually invited the ladies of the court to take their places. The historian reviews this policy, and while he praises it because of the “joyous pastime,” to which it led, acknowledged that it produced the greatest debauchery ever known in France, because “the ladies of the town followed the example of the ladies of the court.”

All historians concur in saying that Catharine de Medici used prostitution as her power behind the

throne for influencing ambassadors and courtiers. A record of the frightful debaucheries of her court may be read by the credulous, and by believers in the moral superiority of the pre-Reformation days, from which we are deteriorating, because of our not believing in the Catholic doctrines of the indissolubility of marriage, in "Amours des Rois de France," "Sauval," or in any unabridged history of France.

Charles IX, the pious author of the "Massacre of St. Bartholomew," lived incestuously with his sister, and Catharine de Medici more than once, if we believe openly recorded history, entertained the King and Court at banquets at which naked women served as waiters. These and things so much worse that we cannot farther paraphrase them were popular in France during the halcyon days of church supremacy, before the Huguenot protest, coming in with the Reformation, attempted their abolition.

We stop with one other illustration of the moral superiority of the old days over the present, not because the infamous catalogue is exhausted, but because it is so sickening. In Spain,—see Prescott's "History of Ferdinand and Isabella,"—Henry IV divorced his wife, Blanche of Aragon, after a marriage of twelve years, the union being publicly declared void by the Bishop of Segovia and his decision being confirmed by the sentence of the Archbishop of Toledo. And for what, think you, ye deluded believers in the infallibility of ecclesiastical courts? "*Pro impotentia respectiva*," we are told, "owing to some malign in-

fluence." Can anybody think to-day of the unfortunate sterility of certain married women being due to malign,—that is, Satanic,—influence? Does Satan still go about thus like a roaring lion in degenerate America, seeking women whom he may make barren? or is that just a punishment only inflicted upon women before the Reformation?

Henry subsequently espoused Joanna, sister of the infamous Alphonso V, King of Portugal. Of course he was not divorced. The church never divorces, she only "nullifies marriage." One of Joanna's maids subsequently acquired ascendancy over Henry, and the Archbishop of Seville was not ashamed to espouse the cause of the paramour, who maintained a magnificence of state which rivaled royalty.

"The public was still more scandalized," says the author from whom I have gathered without much alteration this material, "by Henry's sacrilegious intrusion of another of his mistresses into the part of Abbess of a convent in Toledo, after the expulsion of her predecessor, a lady of noble rank and irreproachable character."

As an illustration of the simple life of the pillars of the church in those exalted days, it is related that at the scandalous and adulterous marriage of this profligate though royal defender of orthodoxy, the same Archbishop of Seville concluded a superb *fête*, given in honor of the royal nuptials, by introducing on the tables two vases filled with rings garnished with precious stones, to be distributed among his guests,—

see Prescott's "History of Ferdinand and Isabella."

If a man in these days lived in open iniquity, as did many of the more devout people of the remote past, he would be held in abhorrence, and we doubt if even Salt Lake City would receive him with open arms.

"The Defender of the Faith," as far as chastity was concerned, was an icicle on Diana's temple as compared with many of the exalted members of the older times, from David down.

"It is a remarkable illustration of the Roman conception of marriage," says Professor Robertson, "that, in view of what must have been the great social evil of capricious divorce before the Reformation, the right of either party to dissolve the marriage *was never successfully questioned.*"

We quote these ancient instances regarding divorce, marriage, and incidental conditions, to show that the divorce problem is not a new one, and that the parrot-like lamentation over the "increasing iniquity" of to-day, in consequence, it is said, of the frequency of divorce, is without foundation. The teeming maw of the turbulent past, full as it was of iniquity, yet lacked statistical tables and sensational newspapers to repeat every slander a hundred times; yet, in reading the *Gesta Romanorum* and the general literature of other days, we do not need to read between the lines to know that there never was a time in the world's history when people were more particular about marriage than they are to-day, when they made more ado about its slightest violation, or when women

were so highly esteemed and social purity was so much a subject of serious concern.

The fact, on the contrary, is that we have become so exceedingly hypersensitive on the subject of "faithfulness," as it is vulgarly called, that a man can hardly pick up a prostrate woman from the mud of a slippery street to-day without its being misconstrued by some doddering moral euphemist into a public scandal; and men are so lacking in courage, in consequence, as to be almost afraid to kiss their own mothers-in-law — in public — for fear of what the newspapers may say. And, instead of our being to such an exaggerated extent as our pre-Reformation predecessors the slaves of feminine caprice and subjects of immoral irresolution, men to-day are singularly free from compromising entanglements — and a doctor of thirty-five years' practice ought to know — and hold woman in higher esteem than in any previous period of the world's history. In other ages a woman was singled out from the masses *because she was virtuous*, so infrequent was it. There were no virtuous men; the very elect lament their being "bound to sensuality as bears to poles." Even in monasteries, according to the confessions of the best of their inmates, vice had entered like an all-pervading pestilence, and many of the religious orders and houses, both of men and women, were abolished because of seething iniquity. Historians mention but a very few "virtuous" women in each era, and often what they mean by a married woman's being "virtuous" was being "true," as

they then called it, to one *cavaliere servente* at a time.

Some of the most distinguished women of former days,—women held in such high esteem by whole governments that they received the freedom of cities, the homage of the great, the honor of magnificent monuments, and occupied thrones with emperors and kings,—were professional harlots, not making and not needing to make a secret of their “professions.”

Like Edmund, “the bastard,” in “Richard the Third,” even such a man as Erasmus, the admired of popes, the associate of emperors, statesmen, scholars, and rulers, boasts of his being an illegitimate son, a “love child,” as such offspring were then admiringly called, as if there were no love in marriage, and *not* “the product of nauseous legal dalliance,” as he scornfully calls the offspring of wedlock. These are the words of Erasmus the half-priest, and no one thought the less of him because of his vulgarities. See his “Ship of Fools,” and “In Praise of Folly,” a filthy book, dedicated to no less a person than Sir Thomas More.

In a book of to-day, by Victor Auburton, Munich, entitled “Die Kunst Sterbt,” he writes about art in connection with the Middle Ages, the ages of faith when the church was untrammelled by the modern heresy of Protestantism. He asks, “What were the Middle Ages when the church ruled supreme and could put her foot on the neck of prostrate kings when she thought it suited her purpose?” and answers his own question as follows: “Nothing but this: pestilence;

civil war; tyranny; dirt; superstition; slaughter of Jews, and, when she could, Mohammedans; robbery, pillage, thumb-screws, anathemas,—just hell and abomination.”

CHAPTER IV

WE are not surprised by what mere newspaper readers say about the degeneracy of to-day, with the exaggerated publicity given to vice and corresponding concealment of virtue, especially in America, because, as a rule, ignorant of the past, they lack necessary perspective; but we are astonished when scholars wail thus of present day deterioration, mostly, it would seem, of their own imagining, apparently oblivious of the not only worse, but utterly appalling, degradation, not merely tolerated but encouraged in former times, when so many of the most powerful families had their origin in crime, when numbers of the most influential were the product of illicit unions, "natural" children a matter of course, when some of the "pious" Kings of the past were so particular and exclusive as to have private and discriminating "orphanages" for their own "bastard" children, and no one thought less of a monarch because he was lecherous. What protection could divorce give to outraged virtue under such conditions?

The bar-sinister was indeed frequently applied as a handicap in the way of inheritance, but as a state act, for political purposes, rather than as a condemnation of licentiousness, and men were not ostracised from society, as with us, because of their being fathers,

out of wedlock, of innumerable illegitimate children.

As an illustration of higher moral standards to-day as compared with days of yore, let the intelligent reader think for a moment of the comparative trifles that are enough to defeat, say, a candidate for office in free America to-day, as compared with that past, when, according to a great historian, "the atmosphere of society was not only obscured by superstition, but reeked with all manner of pestilent forces"; when even popes, presumably the highest example of excellence, because of their depravity were strangled in dungeons, degraded, banished; when mere boys, for example, Benedict IX, in the eleventh century, were raised to the papacy by bribery at the age of twelve years, and of whom his successor in office, Victor III, subsequently declared that "his life was so foul and execrable that he shuddered to describe it." Driven from the pontifical chair by a tumult of popular rage and disgust, he regained it by bloody violence, and at last sold the office, which he seemed to have valued only for the liberty it gave to his vices, when it was purchased by Gregory VI. See Neander's "History of the Christian Religion," vol. viii, page 376. Could such a thing happen to-day without the whole Christian world's feeling outraged?

We are horrified and think the world coming to a dishonorable end when there is merely suspected bribery at a ward election, or some politician, representing perhaps a district in disgrace, calls a colleague "out of his name," or a partisan in the heat of con-

test applies a few irrelevant epithets to a man of an opposite faction, or even uses bad grammar in addressing his constituents; but think, in comparison, of elections in times before Luther, when men's throats were cut with impunity because of political differences, families wiped out of existence during the heat of electoral campaigns, and even the church exercised the vilest political methods in crushing an enemy, carrying it often to the point of annihilation.

Imagine what the condition must have been preceding the period when there were three popes reigning in Rome at the same time (remember the papacy stood for the highest civilization and morality),—Benedict IX officiating at St. John Lateran, Sylvester in St. Peter's, and Gregory VI in St. Maria Maggiore,—and each with partisans so violent that they stopped at no crime to accomplish their purpose.

At the Council of Rheims, 991 A. D., the Bishop of Orleans declared that "the ecclesiastics of his day were monstrous brutes, utterly destitute of all knowledge, human or divine." See Synodus Remiensis, pp. 60-61. If the divines were thus, what could be expected of the profane public?

"When the heroic and devout Hildebrand was appointed director of the great monastery of St. Paul, outside the gates of Rome, he found cattle stabled in the basilica and monks waited upon by abandoned women."

In that beneficent past, to which deluded partiality asks us to look with admiring approval, when there

were no United States and no divorce, and hyperdevout people lived in a state of "Arcadian innocence," drunkenness was the habit even in monasteries, and vices viler than drunkenness were common. Robbery was the business of a large part of society, brigandage infested the public roads, and Christian women were sold into slavery by "Christian" men in the slave markets of Islam. And consider the form of worship in some of the more prominent churches in the pious past, like the *fête des Sous-diacres* at Paris, where tipsy priests elected a Bishop of Unreason, offered incense of burnt leather, sang obscene songs, and ate upon the altar; like that of Evreux, when the clergy wore their surplices wrong side out and threw bran in each other's faces in ridicule of holy water. Usually these vicious spectacles occurred on Christmas day or near it, but sometimes on other feast days. When they were exhibited on St. Stephen's day, commemorating him whose face had shone as the face of an angel and who led toward heaven "the noble army of martyrs," a burlesque composition called "The Prose of the Ass," was sung as a part of the mass, performed by a double choir, with the sound of a braying donkey introduced as a refrain.

"Customs of this kind,"—surely exceeding anything in the way of sacrilege possible to-day, especially in Protestant countries,—“are not extemporized,” says Dr. Storrs, “and do not suddenly establish themselves in the liking of large communities and in acceptance by religious houses. They seem outgrowths of an

age like that, the character of which we have sought to indicate."

We do not mean to imply that there was not even in those days the remnant that made for righteousness because God, we believe, has always had his witnesses. Yet, men like Hugh of Provence, foul with all crimes, bestowed great bishoprics upon his illegitimate sons. Barons conferred abbeys and bishoprics upon their infant children, simony was a general curse in the churches; and since it was the general impression in Europe that at Rome everything was venal, while men reprobated the example, they followed it. The Archbishop of Rheims and Sens, the Bishops of Nevers, Constance, Nantes, Lungres, Beauvais, Amiens, with the Abbott of St. Medard and Soissons, all confessed that they had either bought their places or had entered them through purchase by their parents.

The difficulty is not in disproving the absurd assertion that the world is getting worse, and that the frequency of divorce is the cause of it, but in selecting illustrations from the past, showing the unspeakable barbarity and iniquity of then, as compared with now, in everything, so as to avoid facts not too absolutely gross for general publication. Crimes committed with comparative impunity then can hardly be mentioned now without a shudder, and indeed many of them are not fit to be mentioned. The reader needs to go no farther away from home in his studies of the impudicity of worship than Leigh Hunt's "London," before and during the time of Elizabeth, or

Pepys' "Diary," to see the things done in the very church before the influences brought in by the Reformation had yet time to correct them or bring into use the decorum of worship common to-day; or, to come nearer our own time in date, in "The Truth about Spain," published in 1911, by Cassell & Co., New York, will be seen that by people living in medieval conditions, and untouched by modern enlightenment, as the masses in Spain still are, were committed desecrations and profanations of worship similar to those almost incredible occurrences that horrified him a few pages back.

Spain to-day in many ways presents the moral and religious condition of the Middle Ages, especially in religion, except that even there is a reaction against the old régime; but, on the whole, it is less influenced by modern religious enlightenment than other nations. In Spain to-day independent thought is crime; rejection of palpable absurdities, irreligion; criticism of church abuses, agnosticism, and any attempt at a return to primitive Christianity, the rankest heresy, to be stamped out by physical force as if it were a pestilence. Indeed, every Catholic bishop's oath, in taking office, "that according to his power he shall persecute and oppose all heretics, schismatics, and rebels against our said Lord the Pope and his successors," is enforced by every bishop in Spain to-day, and until lately was supported by every King, so that the lot of the independent believer in that once supreme power is not a happy one.

The following is the oath subscribed to by every bishop:

Regula sanctorum Patrum decreta, ordinationes sed dispositiones, reservationes, provisiones et mandata Apostolica totis viribus observabo, et faciam ab aliis observari. Hereticos, schismaticos et rebelles lidem Domino Nostro Papae vel successoribus predictio pro posse persequar et impugnabo.

All sorts of impositions as in the past, according to "The Truth About Spain," are practiced as if under celestial authority, and all the cruel methods of persecution and ostracism, without undue resorting to open physical torture as in the good old times, are practiced with impunity. Yet this once famous land does not, except in gorgeous church and royal architecture, give the impression of superiority that we would expect, if the past were really better than the present.

The clergy do so much to cultivate superstition and credulity and bitter animosities against people of opposite belief that honest enlightenment is driven into unbelief as a virtue.

For example, "a palm-leaf bought in a church or authorized shop and placed on the balustrade or balcony of a house acts as a charm against witches, Satan, and the evil eye, and a belief in this absurdity is fostered by almost every clergyman."

A crude illustration of the horrors of purgatory, that best paying bit of real estate, though invisible, like Martin Chuzzlewit's Eden, is a fixture to-day

in almost all Spanish Catholic churches, so that the superstitious people, in consequence, pay into the coffers of the ecclesiastics all that they can bring together, in order to be saved from the prospective horrors of that ingenious medieval device for the making of money without honestly working for it.

A tariff of requiem masses with music, besides fees for every priest who intones responses, appears on the back of every church door.

“A ribbon purchased from the black wooden image of the virgin at Montserrat Convent, near Barcelona, cures headache, and another from the virgin’s waist saves a woman in childbed.”

“A mass or prayer can be purchased for almost any purpose, and is as readily obtained in anticipation, and in favor of the consummation of the intention, as for forgiveness of a deed.”

CHAPTER V

IN his brochure, "The Cause and Increase of Divorce," Sydney Fisher, of Philadelphia, gives a number of illuminating facts calculated to throw light on the now perplexing state of matrimony. For a subject so plain that it might be understood one would think by the simplest mind, as the Founder of Christianity Himself explained it, has been made so complex by the cunning or "elucidation" of religious teachers that even a Philadelphia lawyer can scarcely disentangle it to-day, wrapped as it is in the swaddling-clothes of superstitious and maritally corrupt centuries.

To Protestant Christians the words of Christ and of St. Paul about divorce and marriage are definite, plain, and sufficient. But the canons of the Latin Church, for reasons best known to their fabricators, have so hedged it in with confusing superfluities that it took even their own people some sixteen hundred years to know just what they meant — as far as acceptance implied an understanding of their meaning — and even then the ecclesiastical conception of the subject was coerced into the lay mind at the point, as it were, of the bayonet. For it was not until 1741 that Pope Benedict XIV, by the establishment of certain severe measures, stopped very frequent divorce, a *vinculo matrimonii*, among Catholics, which until then, despite

the Council of Trent, had been common among them.

Thus nearly two hundred years after Protestants, according to the teachings of our Lord, had declared marriage indissoluble, *except for one cause*, Catholics continued to be divorced, with church consent, too, only that instead of calling it *divorce*, the act or permission was concealed under the euphemism "nullification of marriage," and through this ingenious device, besides the older causes, there were a number of new ones added.

There were various "impediments," too, according to the canonists who rendered, not divorce, the church did not sanction that, but "nullity" possible. Thus, if a man married any of his near relatives or any of the near relatives of his wife, the marriage was void from the beginning, unless it had been permitted by special dispensation, and a marriage obtained by violence, fraud, or mistake was void, *if the parties desired* to dissolve it.

This latter clause of course was right and is still the law in this and all other Christian and, we might say, pagan countries; but they went farther and held that a marriage was void if the man had previously been betrothed to one of the woman's relatives, or if the marriage were made without the aid of the church, or if one of the parties were unbaptized. Thus a man might be married any number of years and have a numerous family, but if any one of the various "impediments" could be shown, his whole married life was "nullified" and all his children made "bastards."

The reader will please excuse the use of this coarse word, but in talking of social and family life before the Reformation and indeed for some time immediately afterward, the thing itself was so shockingly frequent that the word was one of common discourse and it did not seem to be much of a compromise for a man to be the father of "bastards."

Is it possible to conceive of anything more brutally cruel than selling, under the above conditions, a "dispensation" to those who wished to do what was regarded wrong? Yet this was one of the practices of the times.

To obtain absolute divorce, these impediments to marriage were often put to a fraudulent use in the old days before John Knox attempted to put a stop to them both in Scotland and on the Continent. We read that it was common for married persons tired of one another in those "more pious days" to come before the ecclesiastical judges and confess—just to secure "nullification" of their marriage—that before the ceremony they had been guilty with relatives of their spouses, or that there had been some other impediment.

Even worse than this was customary, for multitudes of "nullifications" were granted on "confessions" or "rumors of the neighborhood," as it was called, without other evidence.

There is every reason to suppose that this sort of "confession" became a recognized method by which, with the connivance of the church judges, unhappy husbands and wives acquired liberty; for decrees and

canons were finally issued against it in vain. And it was not until 1741, long after the German revolt against the authority of the church, that Pope Benedict XIV, by certain severe measures, discontinued the practice of "nullification of marriage."

"The canonists," declares Mr. Fisher, "held that this was not divorce, but 'nullity.' They were certainly at liberty to call it what they pleased. They might have called it tweedledum or tweedledee, but in reality it was absolute divorce, with the indignity added of bastardizing the children."

It was on this account that one of Luther's reforms was the abolition of All Saints' days, as they were only spent, he said, in drunkenness and bestial excesses, resulting in marital infelicities. Another of his reforms was that marriage among distant relatives should be permitted, as "their being allowed only by papal dispensation was an excuse for the pope's extorting more money from his followers."

"It is shameful," says Luther, "that Christianity should permit brothels. The chief sinners in these places are priests."

"Through them,"—brothels, dispensations, indulgences, and other ghostly wares,—"the pope," he continues, "received more money from the German people than the emperor." And, to go further back, so numerous were these female corruptors in the fifth century that St. Augustine found it necessary to declare that "no church should admit prostitutes until they had given up their calling." A similar declaration was

made by the Council of Toledo centuries nearer us. These two expressions of protest were called forth by the frequency of the practice of prostitution and the consequent low esteem in which marriage was held — or there would not have been these “moral perjuries.” Yet, good orthodox souls, they all regarded marriage a sacrament.

Later, as we advance in the study of the Christian world before the Reformation, we are more horrified by what we learn.

The tenth, eleventh, twelfth, and thirteenth centuries were perhaps the vilest. Not that there were not even then people of spiritual aristocracy, who so often, it would seem, have saved religion from extinction. Bernard of Clairvaux, for example, was one of the greatest minds and saintliest characters of the “Ages of Faith,” who in his century, the twelfth, tried in vain to reform the church he loved, and who if living to-day would suffer excommunication because he did not believe in the doctrine of “the Immaculate Conception of the Blessed Virgin,”—another of the religious vagaries of the ages founded on the profane theory that the purpose for which men and women were united in marriage,—procreation,—was unholy, and consequently compromising to the genesis of the Mother of Jesus.

St. Bernard wrote against this doctrine with indignant remonstrance. He declared the doctrine one of which the church was ignorant, and which reason did not approve nor ancient tradition commend. “Are we more instructed or devout than the fathers?” he

said. "It is perilous presumption in us when their prudence in such things is exceeded. . . . The royal virgin needs no fictitious honors. It was not essential to the divine glory in the incarnation that she should be believed to have been immaculately conceived. To hold to this notion of the immaculate conception of the virgin was rather to detract from her honor than to add to it." Thus reason, religion, and virtue, even in the darkest days, were not without their defender.

Later still so much farther had the people fallen from the New Testament variety of morality, divorce, and marriage that church councils recognized harlots, protected them, and received from them a part of the gains of their iniquity, and in 1431 at the Council of Basle so corrupt had the world become that a holy father presented an elaborate paper on the subject of prostitution, in which it was declared to be the only safeguard of morals.

Do you take in the paradox,—immorality the only safeguard of morality, and this proclaimed by a clergyman in the odor of sanctity? Surely those were not days of Arcadian innocence as compared with "morally deteriorating America" to-day. Yet, despite such circumstances as we have quoted from the best records procurable, there are those among us so disloyal to their moment and the fact that a good God reigneth that they declare the world is getting worse, and that it is all due to divorce, consequent upon the "lax moral methods following in the wake of Luther's sham Reformation."

A century after the Council of Basle, the Council of Milan — councils were always called to correct abuses — for purposes of revenue, it would seem, rather than abolition, attempted to put a mark of identification upon these “substitutes for wives,” as they were blasphemously called. The council decided that they were to wear “a distinctive dress without ornaments of gold, silver, or silk; to reside in places designated by the bishops at a distance from the cathedral, to avoid taverns and hostelryes; and the execution of the decree was intrusted to the bishops, aided by the civil authorities.”

Think of its being necessary in these degenerate days to convene a council of clergymen, not to prohibit but to protect prostitution, and think of the enforcement of laws made in the recognition of its existence being put under the auspices of Christian ministers! What a holding up of hands in horror would such a procedure engender to-day!

The *vectigal*, as it was called, or tax paid by persons following Mrs. Warren’s profession, was exacted by all Emperors from the pagan Caligula to Christian Theodosius, that Theodosius the Second, during whose occupancy of the throne of the East for forty-two years the *Codex Theodosius* was compiled, the same devout Christian Emperor, according to the obsolete zeal of his day, whose burning ambition it was to exterminate all pagans and Jews in favor of Christianity.

Some of the early Christians made the tax a reproach,— it was an important revenue financially, for

the "profession" was a popular one,—in consequence of which assaults this fanatical son of the church abandoned that portion of the law which laid a tax on bawds also, leaving that on harlots as it was.

A contemporary writer describes the imperial agents at the instigation of the clergy hunting for these unfortunate women in taverns and out-of-the-way places, and forcing them to *purchase the right* to pursue their calling by the payment of the tax. This license fee, in the official language of the times, was called the *Crysaguron*. It was afterward for a time abolished, but was levied subsequently under Justinian, he of the famous Pandects, who softened the old pagan laws regarding courtesans, relieving them from the infamy his pagan predecessors had laid upon them, permitted the marriage of citizens with them, and encouraged them by imperial example. His own wife, whom he made the Empress Theodora, had been a ballet dancer and prostitute when he married her.

The Bible teaches that nothing justifies divorce with the privilege of marrying again during the life of the divorced party but adultery, and that only permits the marriage of the innocent party.

There may be many reasons, according to the Bible, because of which man and wife may find it best to live apart for longer or shorter periods or even for life, but Christ taught that they are still man and wife until death divides them. This, however, is not the law of the state nor ought it to be, nor is it legally binding, as there must necessarily be various standards and con-

ditions to meet other contingencies. It is only the law of *Christian marriage*, in connection with which Christians do not need additional legislation. That is sufficient and happiness or compatibility have nothing to do with it *per se*; it is simply a matter of duty and obligation.

The canonists of the older form of Christianity, however, harshly say that marriage between two persons not Christians is but natural union little better than harlotry, and that marriage between a Christian and an unbeliever, while not quite so bad, is not indissoluble like marriage between believers,—that is to say, baptized persons.

And how, pray, did they decide in those days of church supremacy who were Christians and who were not? Simply by baptism, which could be administered by anybody, priest or no priest. The opinion of the baptized person made no difference. It was the rite, the words, that regenerated. The candidate for baptism might be the rankest of atheists or reprobates, but if baptized he was capable of dissoluble or indissoluble marriage, according to the belief of his wife, and vice versa.

This practice of transforming pagans, unbelievers, and others into Christians by baptism in the twinkling of an eye was quite common in the early days of grace. Most of the Christian conquerors of the Middle Ages were guilty of doing this, and especially Charlemagne, “the pope-crowned emperor of the Romans,” who, to revenge a victory over him by the Saxons, executed

a fearful revenge by causing no less than forty-five hundred prisoners of war, mostly their countrymen, to be put to violent death in one day. He often, with the same celerity, transformed whole countrysides, towns, villages, and cities to Christianity before you would have had time to say Jack Robinson. And it did not matter who they were, what they believed, or why they should submit to such, to them, an indignity. The alternative was baptism or death; be a Christian or a mangled corpse — and they nearly always preferred Christianity.

In the same way an unbeliever in the old days married to an unbeliever and wanting to get rid of her, or vice versa, submitted to baptism, claimed the privilege of "nullification of marriage," because of being unequally yoked together with unbelief. Thus baptism, even as an expedient, sometimes saved a man from the pangs of death and sometimes from the more protracted pangs of matrimony. Yet, we are confidently told that there was no divorce before the German rebellion of the sixteenth century, which was, we are told, like Milton's "forbidden fruit, whose mortal taste brought death into the world and all our woe."

What were the practical consequences of this un-Christian theory of the *always* indissolubility of marriage, except for a price, as exhibited in the life of the Middle Ages? Apparently an enormous amount of every form of uncleanness. The whole history and literature of those times disclose the astonishing prevalence of such crimes.

Let the unbiased reader, interested in the nauseous subject of justifiable divorce, read of divorce, marriage, and their allied subjects of cruelty, brutality, adultery, nullification of marriage, impedimenta, concubinage, and celibacy of the clergy, as revealed in all their hard-headed variety in the history of the church in the Middle Ages, when the holiest thing in life,—Christian marriage, with its mutual courtesies, refinements, and forbearances, its sacred joys and sorrows, its aspirations, exhilarations, its tender sympathies and endearing affections,—was made to appear unclean and repellent by the polluted botchery of coarse-minded men, bachelors, too, supposed to know nothing practically of it, except what they learned from reprobate men and women in the confessional. Let such a person farther interested in this subject read Henry C. Lea's "History of Sacerdotal Celibacy," filled as it is with the most authentic and startling incidents, and he can hardly believe the self-revealed iniquity of those times, as a result evidently of the attempted adoption of the unscriptural view of marriage and of celibacy.

Mistress-keeping by priests was not only universal, but was universally recognized and admitted because — horrors! — of its being supposed a safeguard for the wives of parishioners!

Councils frequently came together to correct abuses, and at these meetings canons were passed over and over again in those holy days to prevent the not unusual custom of priests' incestuously living with their own mothers and sisters. It was even found neces-

sary to enact laws condemning priests from practicing unnatural crimes.

In some places canons were made to give a sort of legitimacy to the children of priests, and laws were quite common to prevent priests from leaving to the mothers of their illegitimate children the profits of their benefices. See Fisher's "The Cause of the Increase of Divorce."

"It is a remarkable fact," says Mr. Fisher, "that the only time when it has been possible to maintain a priesthood that was celibate in anything more than name, has been since the Reformation, when priests have been obliged to live up to the standards of Protestants."

The comparative decency and purity of modern times have been brought about by men who believe in divorce as Christ taught it and in the sacredness of marriage, by men who have lived within the prescribed circle of the contract, without considering it so very much more sacred than any other serious and responsible obligation, and who do not believe in the indissolubility of marriage except as the Bible teaches, that is, with a limitation.

Many of the saints have written the most disgusting things about marriage as they in their coarse imagination conceived it to be, or else as it was revealed to them in the confessional of a debased people. "Adultery to some of them was but a mere incident," to which anybody, even a priest, might fall a victim, "as compared with the continual foulness," as they declared it, "of marriage."

St. Augustine asserts, evidently because of his knowledge of the customs of his times, that "it would be better to have no marriage, as he knew it,"—for like many of the saints, he was a converted rake,—“and to bring the human family to an end than to have marriage.” It is difficult to conceive of a saint’s being so savage. And his successors since have taught the paradox slander on humanity,—namely, that marriage was an indissoluble sacrament and also indissolubly disgusting.

CHAPTER VI

THERE are certain anomalies in connection with divorce and marriage, as defined by the medieval or Catholic church, that are calculated to perplex and confuse the reader. Indeed, they are difficult enough to demand the service of skilled canonists for their disentanglement. In attempting to reconcile or to understand them, we might say with the Psalmist, "such knowledge is too wonderful for us."

Although she declares that marriage can only end with the death of one or both the contracting parties, and "if anybody says otherwise, let him be accursed," yet in the face of such an assertion she cites several instances when it *can be* dissolved, even without violation of the seventh commandment. And that, too, with the right of the separated parties, one of them, to marry again while the other spouse is still living.

For example, if two Catholics have been married by a priest, and the wife subsequently finds greater peace in another communion than she ever found in her own, and connects herself with that communion, the act is called "lapsing into sin." And if she persists in this wickedness, adhering to a non-Catholic denomination, it gives the husband the right of securing an absolute divorce and marrying another woman. This no other Christian church permits. Christ did not permit it.

It is not permitted by any civilized people. Even Mohammedans, Japanese, or Chinamen do not allow divorce for such a reason.

Again. If a Catholic is married to a non-Catholic, and she insists on bringing up their children according to the tenets of evangelical Christianity, unless he has had a "dispensation," he can secure an absolute divorce and marry another woman. No civilization, pagan or Christian, nor any reformed church permits this, because it is contrary to the word of God, which declares that there is but *one* cause for divorce with the privilege of re-marriage, and this is not it. Her husband could not be divorced from her *absolutely*, if she committed adultery, but he can, if she joins another Christian communion.

This, it would seem, makes Reformed Church membership after marriage to a Catholic a greater crime than impudicity.

The Roman church again contradicts her dogma of the indissolubility of marriage by declaring that if a baptized person is married to an unbaptized person, and the unbaptized person desires to *depart*, absolute divorce may be granted to the baptized person,—that is, the Catholic husband,—and he may marry again while his first wife is still living. This, too, is contrary to the civil law of all civilized lands, and if sanctioned by the Bible, the Bible does not say so.

According to Christ, he could not marry again because the *supposititious* man's separation from his wife does not seem to have been because she was im-

pure, but only because she was of an opposite belief. Yet in such a case the medieval church declares that the believer,—that is, the baptized person,—may marry again, thus implying that *baptism* gives to a man the privilege of committing what Christ called “adultery,”—that is, entering another espousal while his first wife is still living, and not even divorced because of impurity.

We are told, too, that the popes have power to dissolve marriage in their own right, that such power was delegated to them from Christ and his Apostles. We are confidently informed also by canonists that “they,”—that is, the popes,—“have precisely the same authority to bind and loose,” including marriage, as the apostles, and also, being the vicegerents of Christ, they have the same authority as He had. Remembering what sort of successors to the apostles some of the popes were, and indeed no matter what they were, from this decision of the learned Thebans of the church we may demur, until having seen the verifying documents. And why not?

If wooden bambini and other paraphernalia of the sanctified,—for example, “St. Benedict’s sacks,”—have descended from celestial spheres to stimulate the wavering faith of believers, why not parchments? Even the Mormons claim that much.

Another stultification of marriage as one of the seven sacraments is shown by the church declaration that in case a baptized person that is a Catholic marries an unbaptized person, say, a member of the Society of

Friends or any other good woman not baptized, such a union is called "marriage contracted in infidelity." And no matter whether performed by a priest or not, the baptized person may choose the religious life euphemistically known as "entering into a state of evangelical perfection." And it is the same as an absolute divorce, and the abandoned party may contract another marriage.

This desertion of wife, life, and its responsibilities in selfish search of salvation for one's own soul permits a Roman Catholic to cut off his wife forever, leaving her to shift for herself with the privilege of marrying or not marrying just as she pleases. Many a jolly mendicant in the old days joined a holy brotherhood just to get rid of his wife. It was cheaper than divorce, and besides it released him *forever*. It was the practice of these and similar evasions and misdemeanors that finally resulted in the abolition of monasteries in most Catholic countries.

This method of dissolving marriage the church permits to both men and women, and even without mutual consent. Thus Christian marriage,—according to the medieval church and contrary to her own proclamation of its sacramental nature, *so much emphasized in "non-Catholic" America*,—both before and after "Consummation," may be abrogated, and at least one of the parties may enter fresh espousal without incurring condemnation.

In explaining away this inconsistency peculiar to the Catholic communion, some writers,—so much in the

confidence of the Almighty,—say that “the power they exercised was transferred to the church from Christ and His apostles, and is just as much a divine right as if God Himself had immediately ordained it.” Quite an easy way this of ending religious suspense and inquiry. It relieves a man of the labor of exercising the God-given gift of protective doubt, and as far as the credulous and indifferent are concerned, is as effectual in preventing independent thought as the patristic “If anyone does not believe this, let him be damned” of the long ago days of unquestioning religious tranquillity.

Indeed, we are told by the same writer,—see Catholic Encyclopædia, Article on Divorce, in talking about that favorite subject of monkish and medieval writers in general, “consummation of marriage,”—that as a prophylactic, as it were, against the tendency of restrained benedicts to enter a “religious order” in the interval between marriage and its “consummation” the spouse urged the performance of that only mutually binding act as a matter of protecting herself from future divorce and abandonment. Wonderful in hair-splitting distinctions were those old-time monkish scholiasts. They had nothing else to do. Their ratiocinations were as subtle as problems in Euclid: they could prove that black was white, although all the time you knew it was not. In dialectics they were as keen as Hindoos or Brahmins.

This *repeal* of marriage before “consummation,” in order to let a married person enter a religious order,—

it applied equally to men and women,—has been in vogue in the medieval church at least since that Puritan of the Middle Ages, Hildebrand, or Gregory VII, attempted to abolish it. His attempt met with turbulent and belligerent opposition, both from clergy and laity. The rancor and opposition excited by this decree of the good pope had almost no precedent, and the pope himself declared that a man at Cambrai was burned alive for upholding his decree forbidding priests to marry and preventing them from keeping concubines.

Afterward Pope Alexander II declared marriage ended when one of the contracting parties entered a religious order, whether the marriage had been consummated or not. The deserted wife or husband, as the case might be, had the privilege of remarriage. Thus adultery, according to Christ's teachings, and not permitted with impunity by any civilized country, is sanctioned by the Decretal of Pope Alexander I.

It was not a bad barter, though, exchanging an unfortunate marriage for an opportunity to seek God and peace in a retreat, while some other man, if she could find one, might take care of your wife. Many of the pious monks of the Middle Ages were men who had thus exchanged matrimony for monasticism, and it seems to have agreed with them.

The pope also, as we are told, has power in *himself* to dissolve marriage. St. Antony relates that he saw several bulls of popes granting dissolution of wedlock so that the partner might proceed to a new marriage;

and "the fact that the popes have used this power *for a long time*," we are also told, "is a further proof of its propriety."

What a justification for continuing a procedure is the absurd theory of antiquity! The longer a thing is done, even if done in violation of one of the fundamental dictums of Christ, as this is, the greater the propriety!

And what were these "delayed consummations of marriage?"

The article from which we quote much of the foregoing does not tell. In our dilemma we turn to the "Philosophical Dictionary," article on "Fees," and find that "consummation of marriage," according to customs prevalent before the Reformation, had to do with wedlock practices so incredible and distasteful to the modern mind that ordinary literature does not tell about them, and we but allude to them inferentially by quotation. "By a decree of the Parliament of Paris of May 19, 1409, it provides that everyone shall be at liberty to sleep with his wife as soon as he pleased after the celebration of his marriage, without waiting for leave from the Bishop of Amiens, and without paying the fee required by that prelate for taking off his prohibition to consummate marriage during the three first nights of the nuptials."

"The Monks of St. Stephen's, of Nevers, were deprived of the same fee by another decree, dated September 27, 1591." This custom prevailed almost everywhere, wherever the church had extensive con-

trol, and was one of the many ways she had of getting money without earning it.

The "consummation of marriage" was sometimes long delayed, among other reasons because the newly wedded man did not have the ready money, and the clergy then, we suppose, would not accept payment in potatoes and cabbages as our country clergy sometimes do for religious services. And during this consequently prolonged interval between the ceremony and its consummation, either of the married pair might seek the solace of a religious order, other things being equal, get out of it all, and leave the other free to marry again. What we call timidity, cowardice, stage-fright, regretting the bargain, and the like, they in the old days called "religion," or in poetry "entering into a state of evangelical perfection." Our defaulters in the matrimonial bank escape to Canada or Van Diemen's Land — they found sanctity in cloisters and, like the righteous, feared no evil.

Some theological writers assert that this infamous custom had its origin among the nobility, who claimed the first nuptial night of the brides of their vassals. Incredible as this may seem, it was a common custom of the Middle Ages, before the Reformation of Martin Luther.

Others declared it took its origin from the Fourth Council of Carthage. George Buchanan, the Scotch poet and historian, born 1506 A. D., said the custom began in Scotland under King Even. But at all events it often afforded intervals so long between the marriage

ceremony and its "consummation" that, as we have said, either one of the married parties had the privilege of escaping into a nunnery and leaving the other free.

In connection with "Heresy and Defection from the Faith" as a cause for the abrogation of wedlock relations, giving the believer,—that is, the Catholic,—the right of re-marriage, the medieval church declares that "infidelity and heresy as such give no just cause for separation of any kind, *if they existed before marriage*, and a *dispensation* had been granted, or even without a dispensation between a baptized non-Catholic and a Catholic. In such cases passage from one denomination to another does not give cause for separation."

"Danger to the soul," which is given as a reason for divorce, consists in "temptation to some mortal sin, either to the denial of the Catholic faith or neglect of the proper education of the children," which "would give the justification and even the obligation, if the danger were great, to separation lasting as long as the danger exists." Thus, if a Catholic wife joined a Protestant church, or if she attempted to bring up her children according to evangelical convictions, the divorce permitted by the church could be perpetual, even absolute.

"Heresy and infidelity," according to the same authority, "are different from adultery. A single act of the latter, if proven, is sufficient ground for divorce from bed and board; but in the case of infidelity or

heresy a certain persistence in the *sin* is required, such, for example, as *adhesion to a non-Catholic denomination.*"

Imagine it, religious women of America, devoting your lives to and if needs be willing to die for the faith that is in you: the *sin* of being connected with *your* church brings a greater punishment from your Catholic husbands or from the Catholic husbands of your daughters if they, the husbands, desire it, than if you had been guilty of unchastity!

Think of it, too, weigh it well, mothers of America with nubile daughters, before permitting them to become partners in mixed marriages: for their epithalamia may make quick movements into *laments*, even *dirges* to dead Eros, as a consequence of your complacency. The Catholic husband, if a good Catholic,—that is, if accepting all the rulings and dogmas of the church as gospel,—has no option in the case, no right to exercise private judgment in matters of faith and morals, but must accept the teachings of the church as infallible. Suppose doubt should subsequently enter his mind about the morality of his marriage, or suppose his wife should long to return to her mother's church. In such a contingency the probabilities are that the "non-Catholic" wife would find herself ensnared as a bird in a net. She might break the wings of regret against its entangling meshes, she might struggle and protest, but although as prolific in device as the *Mayflower* was in pedigrees, she could not find release or make escape except through some

wretched rent of compromise; and she might at any moment be made a widow, a disgraced widow, without the intervention of beneficent death. Mixed marriages are as full of compromising pitfalls as rabbit warrens are of holes: it is possible to walk over them without falling in, but it is safer to keep away.

We have known many such unions that began and continued for a while in happiness; then ran into estrangements, misunderstandings, unseemly disputes, separation, ruin, due, as like as not, to "religion" instilled into the ear of the Catholic spouse by some priest that knew practically no more about the sanctity of married life than a Feejee Islander. And if the *ne tenere* theory of marriage as urged by the present pope and hierarchy is permitted to become law in America, it will make void the marriages of many Catholics here, even marriages that are not mixed, and render the children illegitimate.

CHAPTER VII

WE have shown that divorce, but under other names, was more flagrantly frequent before the Reformation than at any time since. We shall now show by additional testimony, gathered chiefly from orthodox and always dependable authorities, that the state of morality in the past, even among those officially connected with the only variety of Christianity then known, was infinitely worse than at any time since the Luther Reform re-wove into the social fabric the Christian ideals that in the flight of time and perplexities of worldly ambitions had almost become obliterated. We regret that in order to prove our thesis we have to write plainly of the practices so omnipresent in the dark ages — even the very mention of which is tabooed in good society now.

St. Paul, in writing to the Ephesians, said: "Fornication and all uncleanness or covetousness, let it not be once named among you, . . . neither filthiness nor foolish talking." Yet, if he were here to-day, we believe he would speak as plainly as we have been compelled to do in defending the America of the present against the charge of deserting his standard. For his most reverent and intelligent admirers are in America.

We regret, therefore, that in writing of subjects connected with baser times we have to avoid euphemisms

as useless, and rather plunge *in medias res*, calling a spade "a spade." The best way to clear the moral atmosphere of pestilent vapors and to promote virtue is not by putting pantaloons upon the Apollo Belvedere nor skirts upon the Crouching Venus of the Vatican. We are all naked under our clothes, and if reverently considered it is no compromise to our dignity.

Let us take up, then, somewhat *seriatim* the signs indicated by our pessimistic critics as evidences or proofs of our growing decay.

It will be a good beginning to start with the church, or rather church edifices, to-day as compared with those that existed before the Reformation. It has been frequently said that the insignificance of present day places of worship show corresponding paucity of spirituality as compared with the great structures of the past, which required centuries for their completion. In them, it is claimed, the soul of man is brought nearer to God because of the mere power of their sublimity, and because they were built by the self-sacrifice of devoted believers, who gave their best gladly for the glory of God and the church. Are not the signs, seen everywhere by the absence of such miracles in stone, it has been asked, indicative of man's being less in touch with the Infinite?

Such are the arguments presented in proof of the passing of faith and of the lessening of spiritual impulses.

We cannot estimate the moral greatness of nations by the splendor of their places of worship. If we

could, the people of Egypt, India, Greece, and pagan Rome would appear morally greater than either Jews or Christians. For the edifices of Christian worship in the Days of Faith, with all their grandeur but with their frequent imbecilities of personal pride and distracting ornamentation, are but tawdry toys for kindergartners as compared with the stupendous and more stately architectural marvels of Egypt and India, which were erected in honour of long-forgotten gods. The same may be said of many other civilizations. All architecture, however, except perhaps the ethereal and more spirituelle Saracenic, come from these.

Christianity did not invent architecture. She found it perfect, and merely adapted it to her own ceremonial and ritual needs. Nor indeed did such buildings as we are considering seem to have entered into the mind of the Founder of our Faith. His religion or philosophy was to be unlike all others, inasmuch as the bodies of believers were to be the "Temples of the living God."

The idea of exalted architecture's implying exalted spirituality is contradicted by all history. And the man worshipping under a star-studded dome supported by porphyry columns, ornamented with capitals of gold, and surrounded by marble saints, may not be as near God as a Salvation Army convert worshipping in a barn.

Instead of these enormous structures being an unequivocal good, our spirits are rather, at times, awed into the acceptance of absurdities by them,—absurdi-

ties such as imagining puerilities of man-millinery and attitude and artificial tones of voice and other theatric arts as being of Divine origin, signifying sanctity, just as we may imagine that the drop-curtain at a theater is covered with real trees and filled with singing birds, when we know that it is but painted canvas. The most depraved ceremonies and degraded rites have been celebrated in the finest buildings by officials robed in gorgeous splendor. For the ritual and robing of the priests of ancient Egypt, Greece, and Rome in connection with pagan worship surpassed that of anything since. Except among the Mohammedans, the great places of worship among all nations have been desecrated by unholy rites.

Mosheim, in "The History of Christianity of the First Three Centuries," writing of pagan religions, priests, ceremonies, and temples, with their splendor of architectural magnificence, said: "Their festivals and other solemn days were polluted by a licentious indulgence in every species of libidinous excess, and on these occasions they were not prohibited, even from making the sacred mansions of their Gods the scenes of vile beastly gratification."

And does not Paul in the "Acts of the Apostles" allude to the same popular depravity? Especially does he do so in connection with the religion of Greece and Rome, because Asia Minor in his day had been invaded and conquered by these pagan people. Her temples dedicated to heathen deities had out-rivaled in splendor of ritual and sublimity of construction the

synagogues of God; and these superb places of worship were often dedicated to vice.

The always interesting Jews, the weakest people politically, have intimated the greatest political system, just as the Greeks, with practically perhaps the most degraded religion, erected in its honor the most imposing temples except possibly those of the Egyptians. We cannot estimate the morality of a people by the grandeur of their centers of sacrifice and prayer. Even in regard to Christian places of worship, see what Gregory the Great in the sixth century found in the high places of Rome when he first entered the imperial city, as may be found in Storr's "Bernard of Clairvaux," page 54.

And read in any French Encyclopedia, or in any book of historic reference, under the head, *Fête des Sous-diacres*, or *Le Sabbat des Sorciers*, and see what happened in the magnificent temples of France, conducted by their own priests, who prided themselves upon being the successors of the apostles. The blasphemy, mockery, pruriency, filthiness, practiced in connection with the celebration of even mass during that period in France, are beyond belief, implying an abandonment to gross iniquity exceeding credibility. "Customs of this kind," referring to the bestialities indicated, "are not extemporized," says Dr. Storrs, "and do not suddenly establish themselves in the liking of large communities and in acceptance by religious houses. They are the result and seem natural outgrowths of an age or a system."

Even in Portugal no later than a year ago it was found necessary to close magnificent churches at sundown because of their pollution by nocturnal evil practices.

Look into the sad faces of the benighted hosts who may be seen coming to-day as pilgrims from the ends of the earth to Jerusalem, to lay the earnings of laborious lives upon the altars of her "Holy Places," that the souls of their departed may be expedited to Paradise. They travel third and fourth class when they ride; and when they can, they walk with their shoes fastened to their bedding on their backs, in order that they might have more money to spend for piacular atonement, masses, and "holy objects." They are the same people, not altered an iota, who in the dark ages under diocesan rivalry were instrumental in the erection of many of these masterpieces in stone.

See their degradation and abject fear as they kiss the hem of the garments of the men who to them hold the keys of Paradise. Surely, with such results we can say but little in praise of such great buildings as nurseries of "pure religion and undefiled." It reminds one of the "divine Raphael," who the more Madonnas he painted the more morally obtuse he became, until finally it has been said that "he used one of his mistresses as a model for the 'the Immaculate Mother of God.'"

Such paradoxes are common and like "Tales told by idiots signify nothing" in the way of vindicating religious superiority. It is possible to find more true

devotion in a white-washed Quaker meeting-house, void of ornamentation, than in the mere emotion-eliciting temple, "with storied urn and animated bust," dim religious light, and music redolent of celestial harmonies "accompanied with beguiling shadows of the Infinite," which are often but distractions interposing between the worshiper and God.

This does not necessarily condemn imposing buildings, for we ourselves are as much impressed with the inherent dignity and sublimity of stately structures as the Puritans, Milton and Cromwell, were. Yet with Islam, too, we feel that any place clean enough to spread a carpet may become a temple, and we deny that the absence of great churches is a sign of moral or religious deterioration any more than their presence implies the opposite.

CHAPTER VIII

OR take the theater of to-day, which is said to reflect our moral decline, with its plays of evil import and suggestion. And bad enough they are, some of them, according to Joe Jefferson's "bon mot," to bring a blush of shame to the cheek of a brass monkey. But even they have their limitations, and, as a rule they are not patronized, after being discovered, by even the best of our merely fashionable people. But morally noxious as many of them are, how much better are they than the performances which preceded them before the Reformation of the "wicked Luther whose teachings led to death!" These were commonly so bad that Justinian in his Code made it a ground for divorce, *a vinculo matrimonii*, for a woman to attend one of them.

Theatricals were so reprehensible in the fourteenth century that both church and state were compelled to prohibit them. And to know how vicious the plays of this century were, you would need to know how supremely disorderly were the people who thought them too gross for stage publicity. The prohibition was soon evaded, however, by the performance of scenes dramatized from the Bible,—“moralities,” cunningly so called, like our “Sacred (Sunday) Concerts,” consisting of selections from the comic operas, with an

occasional hymn added. For they were not all by any means equal to "Everyman."

Coarseness was but half the name for the low buffoonery which went under the name of "moralities." As having anything to do with morality or literature they are not worth the paper on which they are printed, and are hardly read to-day except by specialists in letters. Most of them were merely strings to arrange beads of lewdness and indecency upon. The devil is nearly always given an important part in these performances — just that there might be an opportunity for the exhibition of all sorts of outrages upon respectability.

His majesty was expected to be prolific in evil suggestion, as an essential part of his character, and he never disappointed his admirers. This was not to tickle the ear of the groundlings, remember, or the vulgar, as with us, but to please the blooded aristocracy. Nothing was too scandalous for these exhibitions, and the idea seemed to be to crowd as much suggestion of sensuality and vice into dramatic performances as possible.

"Scarcely an incident of life," says a well-known authority on the subject, "was too indecent to be portrayed or described; and if the latter, the description was given in the most undisguised language. It is almost impossible to describe scenes of this nature. Women were made to go through the pains of childbirth on the stage; husbands and wives undressed and went to bed in the presence of the public, and the fact

was associated with the coarsest ribaldry. And when modesty prompted the actors to leave the stage a colleague always explained why they had retired and what they were doing behind the curtain."

The occasional low acts and performances that disgrace the stage to-day are examples of lofty refinement in comparison with what was common on the stage in the Middle Ages. To-day even many prominent vaudeville managements issue printed directions to the performers who take part in the entertainments to avoid unbecoming allusion or suggestions on pain of instant dismissal.

During the reigns of Henry III in France and Charles II in England women began to appear on the stage, and bad farces, more indecorous than the old "moralities," became popular. Many of La Fontaine's most artistic but shocking pruriencies were taken from farces, which, incredible as it may seem, were once acted with elaborate pantomime before the court and the ladies of the élite of Paris. And these unspeakable abominations were merely, in the polite language of the day, called *grivois*,—that is, jovial, merry, jolly, brisk. It was customary in those days for the star actor to speak at every performance a Prologue, or Interlude, crowded with every impropriety of speech or gesture. The very titles of these vile compositions are so libidinous that we decline to pollute our pen by transcribing them. We may be permitted to give just one guarded title. *Uter vir aut mulier se magis delectit in copulatione* is the name of one of the

prologues that were popular. This implies their general character.

They all have to do with the desecration of marriage and with atrocious discrepancies of the sexes. Yet we are assured by shallow impertinence, gross ignorance, and pompous ethical pretense that we are morally deteriorating from the standards of the past, because of our not having accepted, as all these had, the Catholic doctrine of marriage as one of the seven sacraments.

The plays in the old days were so licentious that women never attended a theatrical representation except in masks, and it was as much as even a maid of honor's reputation was worth, bad as they were known to be in the way as it was significantly said of "galantry," for it to be discovered that she had attended a play in a theater. And during the Restoration in England, which was just a return to the uncleanness of former times, after the removal of Puritan restraint, it may be seen by any one caring to read the often disgusting but sometimes witty things then produced that the majority of the plots of such plays were so arranged as to present the "primrose" and easiest way to *double entente*. And grossly immodest acting and insinuation were the consequence.

The general character of the times and of the theater before the Reformation may be gathered from the fact that the hero of one of the most popular of their dramatic productions is represented as being surrounded by six unfortunate women, whose ruin he had effected, and as being dunned for arrearage in wages

by the nurses of their illegitimate children. The opportunity that this dilemma gives for the sort of talk in which the times delighted made the performance long a general favorite. Surely, bad as our theaters are, such things in the way of dramatic performances as "held the board" for protracted periods in the old times would not be tolerated at all in these better days.

Or, take the matter of personal character of the distinguished people of the past as compared, after the manner of Plutarch, with those of to-day and you will find the same differences. To be sure there was no divorce of men from their wives because of prevalent wickedness. There were only "nullifications of marriage" and "impedimenta," which answered the same purpose and, moreover, brought in a large ecclesiastical revenue. There was only divorce of morality from religion.

Contrast any of the prominent persons of, say, before the sixteenth century with our own native celebrities, such as Washington, Lincoln, Bancroft, Motley, Jefferson, the Adamses, or any of our generals, authors, or statesmen, and we will find but little evidence of the world's getting worse, or of moral deterioration consequent upon the calamity cry about "the sanctity of the home being invaded and destroyed by the frequency of divorce and its consequent retrogressions."

As an example of the best of the old days let us take Columbus, the most courageous and greatest navigator

and discoverer of unknown land that the world has ever known. He was devout and daring, "so strict in religious matters," we are told in the half dozen dark and evasive chapters that are devoted by his illegitimate son and biographer Fernando to the first half century of his father's times, "that for fasting and saying all the divine offices he might be thought professed in some religious order, and so interested in the services of the church," although among other legacies is one of "half a mark of silver to a Jew who used to live at the gate of the Jewry in Lisbon," and who evidently had rendered him services. And written in his own hand, he makes provision in his will for the endowment of a chapel for the saying of mass, and at the same time he leaves Beatriz Enriquez, the young girl whom he had seduced and who had borne him a son, in the most grateful terms to the care of the young admiral, his legitimate son and successor. He was so devoted to religion and it so colored alike his meditation and his speech that even his celebrated seven-lettered cipher seems to be "Servate me, Christus, Maria, Josephus,"—Christ, Joseph, and Mary, preserve me,—which unfortunately they did not. When landing on American soil he devoutly called the land San Salvador. His first act was to give thanks to God, kneeling upon the shore, kissing the ground with tears of joy for the great mercy received, and he took possession, regardless of what the natives might think, for their "Catholic Majesties of Castile and Leon."

Yet this man, with all his religion and faith, partici-

pated in piratical expeditions under the much dreaded cruiser Casseneuve. He had abandoned his wife, and never returned to her; he was a libertine, or at least had ruined one confiding girl, Beatriz Enriquez, the fruit of his adultery being his natural son Ferdinand. He was a kidnapper, guilty of the treachery of stealing the unsuspecting natives from their homes and all that was dear to them in order that he might have them baptized in Spain! Instead of treating the natives of the lands that he discovered with consideration and kindness he purloined nine of them on his first voyage, and later sent a ship-load to Spain to be sold into slavery. Still later, his heartlessness, it would seem, increasing with his experience in this crime against all humanity, he sent four more ship-loads to be sold or to be traded into abject bondage in the slave markets of his native land. He thus set in motion a system of oppression which resulted in the extermination of all the aboriginal inhabitants of some of the islands of which he had taken possession in the name of God.

It is to this same devout and daring orthodox believer according to the old standards that is traced the monstrous guilt which the Spanish government sanctioned, under the name of "*Repartimientos*," according to which every colonist obtained power over as many natives as his means and rank entitled him to hold. Besides, he was an unhesitating autocrat, or tyrant, as may be seen by the fact that he caused eighty of the men he put in possession to swear that they had reached the continent. And any one who should, on

his return, renounce his oath was to be fined 10,000 maravedi and have his tongue cut out, a by no means empty boast in those better times.

The adventures of the past had but little to do with beneficence or science as with us, but they were for gold for which men were willing to risk their souls in the expectation of being able to buy again their entrance into Paradise. So intense was Columbus' search for the precious metal that he imposed a tribute of gold, when he could, on every adult native of the island. Once in three months each one was required to produce a hawk's-bell full of the metal that in their child-like simplicity they thought to be gold. Yet, as we have said, when landing on new ground, he took possession of everything in sight in the name of God and the Blessed Virgin, without saying as much as "By your leave," or giving a handful of beads, by way of recompense, to the rightful owners.

Surely we have not deteriorated from this combination of religiosity and injustice. This case is by no means singular, for we have purposely selected one of the best and most intrepid men of the old days for comparison with the men of the present, and surely with such illustrations of "moral superiority" we, as a people, may, like St. Paul when in sight of "The Three Taverns," thank God and take courage.

CHAPTER IX

OR take the practice of truth-telling,—veracity,—as a sign of the world's getting worse, and as indicating contemporary American degeneracy, and see if we do not again reverse the decision of alarmists.

We are such liars, it has been said, and we use language to conceal rather than to tell the truth. Our newspapers are filled with exaggerated proclamations of things false. Fraud and deception are universally prevalent and probity is a thing of the past; politics are corrupt, statesmen are venal,—villains by necessity, fools by heavenly compulsion,—and, to paraphrase from Edmund, in "King Lear," all that we are evil in by a Satanic "thrusting on." Divorce invades all ranks,—the tragedy of the poor, the amusement of the idle rich. Surely the world is getting worse.

Such are the gentle commonplaces of criticism cried from the housetop by arrogant but self-glorified complacency, when the wish, we are afraid, is mother to the thought. And we supinely accept it all as gospel truth, without questioning.

Belief requires no brains. It is only doubt,—defamed, traduced, but beneficent doubt,—that demands proof and enables man to come nearer to an understanding of all creeds, theories, and assertions, without being misled by any of them. It is only when jessed

to the hand of presumptive authority, or popular fallacy, like a hawk to the hand of the fowler, and hooded, too, so that deliverance is impossible.

Blessed, then, be honest doubt that at times has more to recommend it than indolent, unquestioning acceptance of exploded creeds. Like discontent, it is the cause of manifold improvements, and like sleep, it is the balm of hurt minds, sore labor's bath, great nourisher in life's feast. Thus doubt may be the chief leaf in the laurel crown of heroism. Faith has had her martyrs; doubt, too, may lay claim to self-sacrificing achievements.

If all the slanders uttered against contemporary times were true, we would need more jails.

Is it not a fact rather that life to-day, with its pleasant amenities, personal and communal interests, and glorious friendships, more than at any time in all the weary world's pilgrimage, is founded upon the rock-bed not only of veracity, but of disinterested affection and generous attachment to our kind? And is it not true that the must-be mendacities that distress us — for the world will never be perfect — are but the exceptions to the general rule of modern truthfulness and honesty, and that to-day probity is the standard in the regulation of life? Let not only a Ruler but even a business house be detected in an obliquity to-day, and he or it immediately loses cast. Indeed, then, reputation is founded upon integrity. Let the professional man be caught in a falsehood, and it becomes to him a catastrophe. The knave, when discovered, is

always held in disgrace, and the person of loose life suffers social ostracism. If a man be a sinner in these times, he has to conceal it, and likely will not succeed in doing so long. Unlike the long ago, when, figuratively speaking, men wore records of their seductions in their hats as badges of gentlemanly dalliance, and when frequently the greatest "gallants"—which then meant polished libertinism, perfumed scoundrelism—were the favorites of kings and represented great countries at foreign courts.

And in the matter of rectitude. In the old days a great author, Niccolo Machiavelli, secretary to "The Ten of Liberty and Peace," wrote a celebrated book teaching princes how to rule by deceit and falsehood, and inculcating the principle that it was not necessary for them to be faithful to their engagements, and cites the example of a Pope in confirmation and justification of his assertion.

"Pope Alexander VI," he writes, "played during his whole life a game of deception, and notwithstanding his faithless conduct's being extremely well known, he was in all his artifices successful. Never did a prince so often break his word, nor pay less regard to his engagements. . . . This was because he knew perfectly well this part of the art of government. There is, therefore, no necessity for a prince to possess all the good qualities that I have enumerated, but it is indispensable that he should *appear to have them* . . . for the vulgar are always caught by appearances, and judge only by the event. . . .

A prince now on his throne, whom I do not choose to name,"— he refers to Ferdinand V, King of Aragon,—“always preached peace and good faith, but if he had observed either one or the other he would more than once have lost his reputation and his domains.”

This excerpt from the part of “The Prince,” entitled “Whether Princes Should be Faithful to Their Engagements,” has to do with the recommendation of falsehood, deception, mendacity, fabrication on the part of rulers, as maintained by a great statesman. That he did not lose cast by preaching such infamy is shown by the fact that Cardinal de Medici when he became Pope Leo X employed him.

A man advocating such a theory of government to-day would hardly be appointed to the management of important diplomatic positions. He certainly would not be appointed without protest.

Not only was the government of states, but even the fountain of religious belief was polluted in the old times by the most outrageous falsehoods that were told with deliberate deceit.

Since having viewed the methods in which the state ruled by deceit, let us see—and we do not need a microscope in doing so—how spiritual rulers employed lying in the golden days of faith in order to strengthen their hold on credulous and unthinking communities. Unless we are mute to the splendor and the agony of life and find it easier to believe than to investigate, we must examine both sides.

Medieval Christianity, some one has said, had a sys-

tem without truth. Modern Christianity has truth without a system. And the system of the old days is nowhere more evident than in that repository of engrossing fable known as "The Lives of the Saints." Everybody should at least skim them over, if fortunately they can find them, for they are as interesting and full of invention as Grimm or Hans Christian Andersen. I say this with admiration for their infinite variety. From the archeological and historic as well as from the religious and ecclesiastical viewpoint they are of engrossing interest.

These ingenious records began early in the church's history, and the fifty-fourth volume was finished under the auspices of the Jesuits in Antwerp in 1846. We suppose that they have been brought down to present times by later hands, for, according to the *Acta Sanctorum*, miracles are still matters of every-day occurrence in "pious" countries.

When religieux, and especially members of the monastic orders, died in those times it was a quite prevalent custom to offer prizes for the best accounts of miracles that they had wrought, which were told in highly colored chronicles. The greater the meed of praise the higher the esteem in which the saint was held, for the laity in particular did not think a man much of a saint in those old days when credulity like begging was cultivated as a virtue unless he performed supernatural prodigies and had been the subject of hyperesthetical happenings. The more extraordinary the happenings, the greater the saint. And when the

Creator suspended the laws of nature by, for example, making stars leave their courses to honor him, their faith knew no bounds, and nothing was too good for the monastery that held his remains.

In these literary struggles for victory prodigies, miracles, and various other flibbertigibbet capers were frequent and were accepted as evidences of divine favor.

To-day psychiatry regards such manifestations and visions as "a vice in nature" requiring medical treatment. To such an extent have we retrograded from the old faith. Yet, in spite of science, they still continue to be chronicled in connection with the aspirations of the saintly and as evidences of divine regard.

The Roman Breviary contains allusion to scenes in the lives of the saints that as specimens of sensationalism far out-Herod Herod and exceed anything said even by Baron Münchhausen. These things are told to enhance the glory of monasticism and the fact that their distinguished members were particular protégés of God, who is sometimes in ancient annals made to appear as an old man with long white whiskers, looking like an alchemist, while the intrepid Baron only wrote his parodies to pass a pleasant hour in the amusement of harmless literary composition, and to raise a laugh.

In the Breviary we read, as if it were Gospel truth, that "St. Raymond, of Pennafort, made a voyage by sea of one hundred and sixty miles from one of the Balearic Islands to Barcelona in his own cloak,"— that

“ St. Philip, of Nerium, was so wounded with the love of God that he continually languished, and his heart boiled over with such ardour that when it could not be contained within its boundaries the Lord wonderfully enlarged his breast by breaking and elevating two of his ribs,”—see Die XXVI, Maii,—that “ St. Dionysius walked with his head in his hands from Paris to the site of the present St. Denis,”—see Die IX, Octobris,—that “ St. Nicholas, a holy infant, used regularly to abstain from suck on Wednesdays and Fridays,”—see Die VI, Decembris,—that “ St. Benedict, founder of an order of monks, used to work miracles habitually, among others that of raising the dead to life, and besides was so prenataly pious that he sang psalms in his mother’s womb before he was born.”

The following dainty morsel of hagiographical gossip is gravely related by the Cistercian poet, Nicholas Bravo, in his *Benedictina*, on the authority of Simoneta, an abbot of his order:

*“ Encarcelado en el lugar materno.
Allegres muestrasel infante dava.”*

It is asserted also on legendary authority that St. Patrick was wont to repeat daily the whole psalter, together with the canticles and two hundred hymns and prayers; three hundred times on each day to worship God upon his knees, and in each canonical hour of the day to sign himself one hundred times with the sign of the cross. Dividing the night into three portions, he spent the first in running through one hundred

psalms and in making two hundred genuflections; the second, in running through the other fifty psalms, immersed in cold water and with his heart, eyes, and hands raised to heaven; and yielded the third part to a short sleep upon a hard stone.

Then there was St. Benedict, who was mentioned on another page as being capable of such marvels as raising the dead and singing hymns before he was born, and whose monasteries at one time filled the earth, as many as thirty-eight thousand of them existing at one time. Now they are reduced to about eight hundred. Many of his monks did good service to literature long ago in editing well-printed books, editions of the church fathers, and so on. There being, it would seem, no demand for these books now, they have taken to the distillation of rum! which is not rum, but *liqueur*, just as divorce in the old days was not divorce, but "impedimenta" and "nullification." Eight years ago the French invited these brethren to leave their country for their country's good.

A few months ago, while in Jerusalem, that once holy city, now brought low by a Christianity unknown to Christ, there were pointed out to us on the side of a suburban hill, in sight of Gethsemane and the Mount of Olives, a new palatial distillery under the auspices of these holy brothers, where they still manufacture the liquid poison that is claimed to add the benediction of greater comfort to riotous living and bacchanalian excess.

It may thus be seen by a very few illustrations of

deliberate untruthfulness selected at random from the Roman Breviary and the like, that we have not morally deteriorated even in veracity from the standards of the older piety. Where can such prevarications be found in connection with any of the heterodoxies of to-day? Even the visions of the false prophet Mohammed are celestial exaltations in comparison, or the crass pretenses of Brigham Young and Joseph Smith are as worthy of credence and, not to mention them in the same class, the consolations and convictions of Christian Science, always in harmony with Divine beneficence, are as heavenly revelations in comparison with the "pious" frauds found in the acts of the martyrs and saints.

It is recorded of St. Philip de Neri, founder of the Congregation of Priests, that when journeying to the Baths of Diocletian he saw the Devil in the form of a man standing upon a ruined wall. On closer inspection he saw that at one time he looked like a youth, at another like an old man. Discovering his trick, he ordered him in the name of Christ to reveal himself. At the command of the saint he did so, and departing, filled the place with such an offensive odor that he made it evident to Philip and his companions who he was.

In the life of St. Andrew Salus we are told that in about the middle of the night when offering up in the sanctuary of his heart prayer and vows to God and the Blessed Martyrs, a devil suddenly came upon him surrounded by other devils, armed with daggers, clubs,

swords, lances, and ropes. At the command of the dragon, or serpent, they raised a loud shout. That most wicked devil, having assumed the shape of an Ethiop, rushed upon the saint with fury. But the blessed youth, with many tears, raised his voice to the Lord, and cried out, "*Sancte Joannes, theologe, opitulare mihi!*" ("O Holy John, the theologian, succor me!"). And amid thunder and many voices the devil departed.

In the autobiography of St. Therese, a book approved by the college of censors, she tells of being thrust into hell, the entrance to which, she says, resembled an oven. After liberation several physicians examined her person and testified that she had suffered from some such torture. That she had actually been in hell and escaped alive was believed by bishops, cardinals, and popes; and to complete the farce the deluded subject of the imposture was canonized,—St. Rita, of Umbria, a sister of the Augustine order. This account is taken from the Roman Breviary, a portion of which priests and monks are obliged to read daily under pain of the severe censure of the church, and it declares that on a certain day when she was earnestly praying to the image of Christ on the cross a thorn from the cross of the crucifix was struck through her forehead, from which she suffered an incurable wound that made her forever afterward a recluse with God. Being near death, she heard the Blessed Virgin calling her to the Kingdom of Heaven, and, having received the sacrament, she slept with God. Her body to this

day incorruptible, we are told, is fragrant with the sweetest odors, and is piously worshiped.

St. Walthen, praying upon the great altar, with his eyes and hands raised to Heaven, saw the evil spirit in many shapes, first as a mouse, then as a grunting pig, afterward as a black dog barking, then as a howling wolf, and finally as a roaring long-horned bull; but the saint made all these forms vanish by making the sign of the cross. At last he appeared as a soldier in armor, when the saint took up the pyx, the ivory box which contained the holy body of our Lord, and brandished it, with the use of certain epithets, when the infernal horseman disappeared.

On another occasion, when St. Dominic was at a window preaching to the sisterhood, the enemy of mankind in the form of a sparrow flew over the heads of the sisters and interrupted the preaching. The saint said to Sister Maximullo, "Rise and take hold of him and bring him to me." She did so, and he began to pluck off his feathers, saying, "Oh, thou enemy!" And when he had plucked them all off and the devil was crying vehemently and all those present were laughing, Dominic cast him out, saying, "Depart, thou enemy of the human race! Now fly, if thou canst."

On another occasion the saint saw the devil in the form of a monkey strutting about and making ridiculous gestures. He commanded him to stand still and gave him a lighted candle to hold. The humane sanctified one put such a spell on the devil galivanting

around in the disguise of an orang-outang that he could not let go the candle until his forefinger had burned down to the socket, when St. Dominic gave him a sharp blow with his cane,—for this saint always, it seems, carried a cane,—saying as he did so, “Depart, thou wicked man!” And the blow, we are told by the veritable chronicle, “sounded as if he had struck an empty bladder, when the devil, casting himself against the nearest wall, disappeared, leaving behind him an odor,”—not an odor of sanctity,—“which discovered who he was.”

This idea that foul odors are inseparably connected with the evil one, and that sweet scents hover around the dead bodies of so many decomposed saints, even centuries after their death, are phenomena, according to the natural history of hagiology, that distinguish them from each other, as moths are distinguished from butterflies by the termini of their antennæ. It must have been quite a convenient aid in the pious days long ago in the making of spiritual diagnoses, and perhaps, who knows, it suggested to John Wesley the well-known adage that “cleanliness is next to godliness.” For everything we have in the way of excellence can always be traced back to the saints.

This about St. Patrick is told with all the assurance of truth by Joceline, who tells us that St. Patrick had a staff covered with gold and set with precious stones. He relates that the saint, “moved with divine instinct, visited one, Justus, in the Tyrrhene Sea, in Tuscany; after mutual salutation Justus presented

Patrick with this staff which had been given to him by Jesus Christ." When the Savior of the world presented the staff to the good man who gave it to St. Patrick He immediately ascended into Heaven, but before doing so was kind enough to give to the recipient of the gold-headed cane the gift of perpetual youth, which made him look as a boy in comparison with his great-grandchildren. Joceline goes on to relate with the particularity of a DeFoe or Zola "that with this staff the Apostle of Ireland collected every venomous creature in the island to the top of the Mountain of Crevagh Phadring, in the county of Mayo, and from thence precipitated them into the sea." And this in spite of the fact that Ireland, according to the testimony of naturalists, has never had snakes nor venomous creatures, there being something in the soil and atmosphere of the island that makes it impossible for them to live there.

Says Samuel Phillips Day, "As an illustration of the punctiliousness with which the vow of poverty was regarded, I shall relate a story which St. Gregory mentions as having occurred in his own monastery. A monk of the name of Justus had amassed a large sum of money, amounting to *three crowns*, for his own use. Ultimately his sin was discovered. By the singular industry of Gregory he was brought to repent of his cupidity on his death-bed. As an example to others, the saint ordered the poor monk's body and his money to be buried together in a dunghill, and forbade prayers to be read for his soul. At length

Gregory repented of his harsh treatment of his poor deceased brother! And calling Pretorius, the prior of the convent, desired him to say masses for Justus for thirty days in succession. When this time had transpired the dead man appeared to brother Copiosus and told him that he had indeed been in a very bad state, but he was then quite well, as he had that day received the communion."

This *delectable conte* the reader may see was trebly blessed: it showed the efficacy of masses in getting rich men out of Purgatory and the sinfulness of accumulation. And the incident of being buried in dunghill, if they were at all fastidious in the matter of interment, must have had a salutary effect upon the subsequent lives of the brethren. But it is difficult to tell just what effect anything would have on the lives of people whose standards of conduct and sanctity were so different from those of reason. Some of the successful aspirants to sanctity in those days took to their dwellings in tombs, or dwelt in dens that they made for themselves by burrowing into the ground. They wore heavy chains, collars, bracelets, gauntlets and greaves of massive iron. Some of them wandered about naked, exposed to the sun, the wind, and the rain. A remarkable instance of this peculiar fanaticism is exemplified in the life of St. Mary, Egypt. Others grazed in the fields of Mesopotamia living on grass, like Nebuchadnezzar, from which circumstance they were denominated Boskoi.

St. Simon Stock, general of the Carmelites, dwelt

the rotten trunk of an oak tree. St. Pierre always walked while taking his food, to use his own words, "because he did not consider eating was a business for which time was to be set apart."

St. Beradat wore no clothes except a close sack of skin with no openings but one for his nose and another for his mouth. The celebrated abbess, St. Theresa, made use of hair shirts, nettles, and scourges, and as a matter of extreme penance even rolled herself among thorns. Eufraxia belonged to a convent of one hundred and thirty nuns who had made vows never to wash their feet, the very mention of such an indulgence as a bath, says the former monk Day, being an abomination to them.

Some of the saints, capable of influencing rulers and performing miracles, aimed to get away from the world by living upon the tops of lofty pillars as a means of appeasing divine justice. One, living thirty-seven years alternately upon the top of *five* pillars, the altitude of the highest being forty cubits, when he came to die, as a means of special expiation and sanctity, had himself enveloped in iron chains, so that he was compelled to remain in an immovable position. A second member of the aerial sect lived upon his pillar fifty-eight years, wrought miracles, and foretold coming events. And such persons in the times of faith, from which we have so far departed, are held forth as fine examples of the religion of Christ. So great was the reputation of some of these men, for example, Simeon Stylites, the Pillar Saint, that when the Em-

peror Theodosius had given the command to reinstate the Jews of Antioch in their synagogue, and this wretched fanatic rebuked him for his conduct, Theodosius confessed his purpose iniquitous. And no deeming this act sufficient to expiate his sin, he actually deposed the civil officer who advised him in the matter, ousted the poor persecuted descendants of Abraham and besought in humiliation the prayers and the intercession of the dictatorial saint.

As an evidence of the credulity and piety of the people after the decease of Simeon, a church was built around the pillar upon which he had passed so great a portion of his life, in order to perpetuate the remembrance of so saintly a man. And it is related on the authority of the hagiographer, Evagrius, who claimed to have been a spectator of the miracle, "that on each anniversary of the saint's death a star was observed playing about his monument."

Women were not permitted to enter the church on these auspicious occasions, out of respect for the masculine austerity of Simeon, and in consequence were only permitted to stand at the door and peep to witness the supernatural manifestation of deliverance with which "Heaven received a heap of stones upon which the feet of so austere and sanctified a person once rested." See Evagrius' "Life of St. Simeon Stylite."

The actions of these saintly people, according to the phraseology of schoolmen, are recorded for the edification of the elect. "This godly man," writes Evagrius,—think what constituted godliness in

old days!—"while yet in the flesh imitated the life of angels, withdrew himself from earthly things, forced nature, which ever inclines downward,"—which it does not,—“aspiring to things heavenly and placing himself between Heaven and Earth,”—the highest pillar was sixty feet, the lowest seven feet and a half,—“he, together with the angels, praised the Lord, lifted up the prayers of men, and offered them to God.”

CHAPTER X

SURELY, with all our faults, and notwithstanding our peccabilities of various sorts, for which we ways get due credit, there is nothing in our : nals relating to social morality, veracity, or faith, t is such a caricature on true religion and undefiled the citations we have made from the ecclesiastical : secular history of the past, when everybody belie in the sacramental nature of marriage. And we this notwithstanding the fact that persons among mostly because of their not living up to the natio standard of marital morality, frequently apply to courts for release from wedlock. Sometimes i because of some trifle, as if marriage of all thing the world must be absolutely perfect when ther nothing perfect. They miss alike the disciplir sanctity of living up to the marriage contract an its entailed obligations in the way of mutual denial, courtesy, affection, concession, and resp bility, and they are not willing to act the manly of silence and restraint.

Divorce among the people of America is but a ception to the general rule of matrimonial const

There is hardly a day that we do not hear of tented couples who, surrounded by self-respectin scendants, are celebrating their "golden weddi

having lived fifty years together in wedlock harmony. Yet, as a nation, we have existed but one hundred and thirty-six years. We defy our calumniators to refer us to a half dozen married persons during the 1300 years from St. Jerome, who translated the Bible from Greek into Latin, to Jeremy Taylor, the author of "Holy Living and Dying," who lived 50 years in Christian amity, without the occurrence of moral discrepancies to disturb their peace, and who were surrounded with children and grandchildren upon the escutcheon of whose genesis there was no spot.

In the days of the supremacy of medieval Christianity when, we are told, there was no divorce, the shortest records of marriage almost invariably tell the number of children born in wedlock and also in the refined language of the day, the number of "bastards."

We need not be alarmed. There is no cause for fear concerning the abolition of marriage in America, nor concerning the breaking up and wrecking of the home, as apprehended by pessimistic timidity.

The calamity howled in the public ear either by enmity or feeble belief is but a bugaboo or chimera of the faint-hearted, for "God's in his Heaven." Besides, our wisest people are at work on the solution of the problem, which is more perplexing because many of our alien people and their descendants are not of the same faith nor nationality. If they were even of one coerced faith, as in the long ago, just as we have corrected so many other inheritances we shall in time correct this also. Just as the Salem belief in

witchcraft, a legacy from the far worse belief in demonology of the old days, has been eliminated, so divorce, except as sanctioned by the highest ethics, shall be eliminated from the national life, and homes will cease to be jeopardized by irresponsibility.

When America was more American there was no divorce. Was it not one of the Blue Laws of New England that declared that man and wife had either to live at home together or to live in jail apart.

Fault is found also with the multiplicity of sects,—as if that were something new in the world, whereas there is not a division of religion among us, with but two exceptions, and they are reprobated by all America except their deluded adherents.

It is impossible to name a tenet believed in by the most extreme of present day sects that does not imply a higher conception of God and of conduct than that which represents Him as being so pleased by the sight of sinners in self-imposed chains and flagellations and inflicting upon themselves other expiatory horrors, and as rewarding them for doing so by patents of sanctity. Think, too, of the irrationality that reflects equally upon the justice of God and the common sense of man: namely,—that such penances of supererogation may be put in the “merit box” of the church to be applied vicariously in expiation of the sins of others. Yet, even worse things than we have so far cited were looked upon as a sublimated part of the moral system when men and women, not for the love of good but because of the fear of future flames everlasting, im-

posed upon themselves vows of perpetual vassalage and groveling obedience to a superior more irrational than themselves, as if they had no will of their own, or, if so, did not know what to do with it.

So prevalent was this, the way of moral purity, in the medieval church that even the learned and devout Origen, as a remedy against concupiscence, unsexed himself in misapprehension of Matthew, xix, 12, and the mutilation was regarded by his admirers as a sign of sanctity.

Saint Evagrius, an orthodox authority on martyr-ology, cut out his own tongue to avoid the exercise of the gift of utterance that he thought stood in the way of godliness. Others flogged one another and themselves to such an extent that they often sank into death-like exhaustion, and an order was founded, named after this habit,—The Flagellants,—that spread far and wide. The members received ascriptions of superior piety in consequence, and an instance is recorded by the celebrated hagiographer and eulogizer of monasticism, Alban Butler, in his "Lives of the Saints," of an abbess' cutting the nose off each nun in her convent with a razor for the love of God.

In those days when the church, judging from its fruit, with here and there an exception, was sunk in materialism, or, like the Norway spruce, dragged its evergreen branches on the muddy earth and kept even the grass (indeed almost everything but noxious weeds) from growing beneath them when they might have been directing their points towards the zenith, in

order to be recognized as of any consequence as a believer the first step in the way of salvation was a hair shirt. And by way of food you had to limit yourself to dandelion or asparagus. St. Gregory the Great became a vegetarian as a matter of subduing the flesh and finally gave up leeks just because he liked them. And if by reason of physical endurance you brought yourself to the level of herbaceous beasts and subsisted solely on grass, like the Spanish Carmelite nun, St. Catharine of Cardonna, God was surely with you.

An unbecoming garb, particularly when it could claim the additional grace of being dirty and in tatters, especially if you roamed through the land with a rope of beads encircling your ample girth and fed like parasites on the body politic, was a sure sign of sanctity. And lecherous knights and robber barons, in mortal terror of purgatorial fires, when they died left you their fortune for prayers and masses; but if you lived on the top of a pillar or of five pillars in succession and dying had your emaciated body wrapped in iron chains, the angels visited you at dissolution and carried your soul visibly aloft to the abode of the blest. Your very bones wrought miracles, and your flesh becoming immune from decay emitted delicious odors.

If your abode was the hollow of a rotten tree, and you abstained from food until you became delirious from inanition, and saw visions of hobgoblins, or angels, or the devil, either as "a mouse," "a sparrow," or "an Ethiopian," it mattered but little,—this phenomena of vision, now known to be disease of the

retina, indicated nearness to God. And when everything else failed the candidate for spiritual distinction, the way was always open through trailing clouds of glory to martyrdom. "Martyrdom," says Bernard Shaw, "the only way by which a man may become famous without ability." Surely the world is not getting worse, and there are worse things in life than even the sure-to-be-cured imbecility of promiscuous divorce.

We are talking of the times before Luther, but the same condition of extravagant austerity, prevarication, deceit, and fraud may be found in the following specimens of medievalism projected into post Reformation times. They are selected from more recent utterances in *Acta Sanctorum*. Galloni, another biographer, gives another version of the story about the saint's dilated heart as follows:: "The divine love so dilated Nerii's heart that the gristle which connected the fourth and fifth ribs was broken in consequence, which accident gave freer scope for that enlarged organ to perform its function; so violently did his heart pulsate that whenever he pressed any of his disciples to his breast, a remedy which they were wont successfully to employ when laboring under temptation, their heads bounded off from his body as though they had received a galvanic shock."

It is affirmed that while saying mass and during his devotions his body used occasionally to be elevated several yards high, and that a resplendent cloud would cover him all over and transform the crimson

of his vestments into a radiant whiteness. This miraculous levitation is a rather common occurrence, according to the testimony of hagiographers in the "Lives of the Sanctified." St. Philip also had the spirit of prophecy, could penetrate the vista of futurity and disclose the pent-up secrets of hearts, and with respect to the sins of private individuals he particularly detected those against chastity "by the stench which the perpetrators thereof exhaled!"

Philip used to relate the annexed event concerning F. Zenobia de Medici and F. Servanzio Mini, priest of the oratory:

"These two fathers had agreed together to hear each other's confessions every night before they went to matins, in order that they might say office with greater devotion. But the devil was envious of so much good; and one night, about two hours before the usual time, he knocked at the cell of Fra Zenobia saying, 'Up quickly; it is time.' At these words the good father woke, got up, and went as usual into the church, where he found the devil in the form of F. Servanzio walking near the confessional. Believing that he was really his companion, he knelt down to confess, and the devil sat down as if to hear the confession, and at each fault which Fra Zenobia named he cried out, 'It is nothing; it is nothing!' At last the father, adding a fault which seemed to him of a somewhat graver character, the devil still said, 'It is nothing.' When Fra Zenobia heard this form of speech he bethought himself a little; and suspecting, not with

reason, some diabolical illusion, he at once made the sign of the cross, saying, 'Perhaps you are a devil from hell,' at which words the evil spirit was confounded and immediately disappeared."

It is recorded that at one time when St. Philip lay dangerously ill with a certain fever, and his life was despaired of by his physicians, he was suddenly restored to health by an apparition of the Virgin Mary. While his medical attendants and others were in the sick man's chamber momentarily expecting his death, they were suddenly startled by hearing him violently exclaim, "*O sanctissima Domina mea. O pulcherrima, et decora! O Domina mea benedicta!*" Immediately the physicians hastened to his couch, drew aside the curtains, and found their patient in an ecstasy, with his hands lifted up towards heaven, his body elevated a foot above the bed, and apparently in the act of tenderly embracing some one, at the same time saying, "*Non sum dignus, non sum dignus. Et quis ego sum, Domina mea, dulcissima ut venias ad me?*" (I am not worthy, I am not worthy. Who am I, my dear Madonna, that you should visit me?) The spectators at this were astonished, as well they might be, while some of them could not refrain from shedding tears. Is it not utterly atrocious, this confounding of the orgasm of a lascivious dream with sanctity. Having come to himself Philip explained to the physicians what had occurred to him, and then dismissed them, observing, "I have no further need of your services, for the Madonna has come and

healed me." Then they felt his pulse and were amazed to find that the fever had entirely left him. Next morning he arose perfectly cured. This is said to have been attested upon oath by Galloni, and by the four physicians who were present. "There is one more circumstance worth recording. The evening following the exposition in the church, when the physicians and surgeons were called in to a post-mortem examination in the presence of many fathers of the congregation, in turning the body the deceased man with his own hands sheltered and protected those parts which modesty usually conceals, in the same way as a living person would, and the like occurred when the fathers were washing the body."

Another specimen of medieval veracity brought into the better life of to-day may be found in the "Life of the Venerable J. B. de la Salle," by Père Garreau, S. J. It was in connection with a man possessed of a devil on whom the Christian brethren were performing exorcism. A young Protestant lord, the Chevalier d'Armstadt, of an illustrious German house, was a witness of the exorcism. The demon-possessed man, perceiving his doubt, said, "Some day thou shalt feel the fury of demons thyself." In the course of time the skeptical gentleman became a convert to the true faith, and the demons, disappointed in losing another soul, began to torment him in various ways. Finally the Evil Spirit, exasperated beyond measure at the heretic's having embraced a life so holy and so penitent, after the failure of various preliminary at-

tempts to win him back to Protestantism, "flew at him with violence and tore the nails from his feet." We are assured that the poor victim felt easily convinced of this fact by the testimony of his eyes, and we are also informed that this was seen by all the brethren. Thus it would seem that in spite of vilifiers the world is not getting worse, even in the matter of veracity, and that the charge of our being supreme in arts mendacious so far is without proof. Yet we can hardly avoid admiring the ingenuity and craft with which the wonders were created in the old days of innocence, so as to fit into the requirements of the system. We are indeed sorry bunglers, as compared with them.

This last is a double-edged sword, serving both to strengthen the feeble faith of the wavering and as a barrier in the way of future apostasy, for we are farther told that the sorely tried young convert,—not having fortitude to resist successfully the various wiles of the evil one, finally yielded to the coercion of Satan and returned from the true faith back to Protestantism. M. de la Salle, his biographer, assures us, "from these appearances everybody felt convinced that the novice was truly possessed by a demon."

CHAPTER XI

It seems strange that so many persons living among us, benefited by our possibilities, protected in their rights by our laws, and aided in their ambitions by our multiplied facilities, are often our most inveterate calumniators. It is only recently, in looking over the columns of many periodicals published in the interest of mediæval Christianity in America, that we learned that "*we* are the Cain of the human family, drenched with our brother's blood, a stench in the nostrils of God; but we boast, like Apaches, of our glorious Republic." This, our degradation, we are told, is because of the number of persons that are murdered in our midst by the hands of assassins, that are killed by "Fourth of July" celebrations, that are slaughtered by the necessities of grinding trade, by professional abortionists, by preventable homicides, by lynching, and the like. Then follows an appalling statistical list. One of these writers, in proof of our utter loss, says that "if you kill a quail in the United States out of season, you get into trouble; if you kill a man, you only get your picture in the yellow journals." "It is high time for a change," he continues, "and we may as well begin with the physicians who practice abortion." Thus we see that even in the preservation of life we have deteriorated, and in the art of multiplied slaug

ter we are much worse than our ancestors were.

In comparing ourselves again with the people of the past, are we really worse? Have we less regard for life and its sanctities, and if so, is it just because we are heretics and have declined to accept the Catholic doctrine of marriage as a sacrament? According to our malcontents, this is at the root of our every wickedness.

To disprove the assertion, we need not go as far back as Charlemagne, the Crusaders, and other champions of the Middle Ages, when whole villages, towns, and great districts, men, women, cripples, and helpless children, were deliberately put to death without compunctious visitings of conscience; when men and women, often the noblest spirits of the time, were ruthlessly reduced to ashes, were tormented by ingenious devices, and submitted to lingering and harrowing suffering. Compare the old days, when men of social position and influence ingeniously devised ways of not only committing murder but of making it lingeringly painful; when malignancy even in high spiritual places claimed that it was doing God-service by enforcing death by fire, on the wheel, by slow torture, by breaking bones, or by cutting off the arms and the hands, and cutting out the tongues, and gouging out the eyes of persons defeated in battle, because of mere differences of belief,—compare, I say, those days with these days when many of the poor wretches battling for bread here know of no exaltation but that associated with drink. Is the character of Cain as much in evi-

dence in these days as it was in the old days? Fort thousand men were put to premeditated death in a few weeks on the celebration of the birthday of a saint. So numerous were they slaughtered that their dead bodies stopped the flow of rivers. And it was all done because they did not accept the doctrine of the Immaculate Conception of the Blessed Virgin, which a great character of the same church, St. Bernard, refused to accept, although he was canonized afterward. The spiritual head of the same power, instead of going into black and mourning in sackcloth and ashes, sang a *Te Deum* of thankfulness and had a medal struck off in honour of the massacre of St. Bartholomew's Day. Are we the Cain of the human family as compared with this?

About the same time the minions of a great religious power, claiming close partnership with Omnipotence, in four lines condemned the three millions of people of the United Netherlands to death, and ordered the decree to be put into execution after Holy Week. Nobody was to be spared. This deed they attempted to accomplish by every Satanic device of rack, wheel, bludgeon, and dagger, until the land was filled with slaughtered and crippled people. The act was approved by the exalted persons in authority, wretched victims of overpowering vice. See Motley's "Rise and Fall of the Dutch Republic."

When Momus, we are told, was evicted from Olympus he became a Cosmopolitan and made his home among men; but there is no sign that the "Laugh

God," whose presence implied wholesome hilarity, was evident in those days. It was rather "Rachel weeping for her children," and would not be comforted because they were not. Everywhere were religious persecution, bigotry in high places, disregard for life.

We cannot compare the cruelty of to-day, which is mostly a matter of impulse, with the barbarities practiced by sanction of law in the old days, when masters had almost universal power over the lives of their servants and could inflict upon them every variety of punishment with impunity. Beating and flogging was a matter of course, and masters punished almost to death their slaves sometimes for mere insubordination, and lorded even over the chastity of their tenants' daughters by legal right. One of the wars of the Middle Ages was merely a protest by indignant tenants and fathers against this popular outrage that was imposed upon the inferior people by the blooded quality. If additional evidence is thought necessary in proof of the present regard for the sacredness of life and general all-round betterment as compared with former ages, it may be found in almost any contemporary history. We will refer to the record of an impartial eyewitness, one whose testimony could hardly be colored, because of his regret in recording the circumstances that he knew from personal experiences and observations of things seen with his own eyes.

The chronicler is Michel Montaigne, the essayist; the date of his writing is about 1576 A. D.

Commenting upon the cruelties and widespread

corruption of his own times, when "every man," he said, "was hourly upon the point of overthrow, and civilization had fallen so low by the habit of rapine that attended a civil war, in which marauding bands put peasants to cruel torture to extract ransom from them, common theft was habitual, even among gentlemen's sons. With a licentiousness unmannerly and cruel, we shape God to our own imagination, but to honor him whom we have made is far from honoring Him who made us." "In actual religion," he continues, "we are inferior to Turks and Pagans. . . . The lust and luxury of a debased court had grown fat for years upon the money of the poor . . . the morals of the people were perverted, they were impoverished, embittered, made litigious, and devoured by lawyers, before judges of whom scarcely one in ten was unassailed by bribes. . . . The church was a machine for the burning of heretics. Against the debasing influence of a corrupt court which extended to all ranks of the nobility and was brought home by thousands of debased soldiers, the church, as a whole made not one effort to establish Christian discipline. Pastors labored only at the shearing of their flocks. Bishops received, in idle and luxurious abodes, their own portion of the wool. Instead of dwelling in their bishoprics and struggling for the cause of Christ, not less than forty bishops were at this time in Paris holding their mouths open like dogs for bits of meat! and struggling for the cause of Guise and Montmorency. He further writes that France was overrun with law

less hordes, "who slew and plundered in the name of God."

As an illustration of the more exalted and humane religion of the period, he writes that one of the first acts of Henry II was to issue an edict confirmatory of religious penalties, according to which "a blasphemer was to have his tongue pierced with a red hot iron, and all heretics were to be burnt alive."

Not only in connection with religion were these horrors perpetrated, but also in connection with politics.

In Bordeaux, he tells us, when he was seventeen years old, near the time when Columbus discovered America, and before the evil influence of Luther had gotten into France, protest against exorbitant taxes on the part of landowners was punished by filling the great square with gibbets, upon which twenty citizens were hanged. One citizen was torn asunder by four horses; two others were broken on wheels, one of whom at the same time "wore a red-hot crown upon his head," and this was done without trial of the victim, and with impunity on the part of the perpetrators. In allusion to three cannibals who came as ambassadors to Rouen at the time of Charles IX, and with whom Montaigne had a conference, he writes, "I think there is more barbarism in eating men alive than in feeding upon them being dead. There is more barbarism in mangling by torments and tortures a body full of lively sense, in roasting him to pieces, in making dogs and swine gnaw and tear him in mammoicks than there is

in roasting him after he is dead. And we have not only read of such atrocities against the living, but have seen them very lately, yea, and in our own memory not amongst ancient enemies, but against our neighbors and fellow-citizens, and, what is worse, that have been perpetrated under the pretense of piety and religion."

In contrast with such events, America is not the C of nations, the world is not getting worse, nor is the sanctity of the home being destroyed because of the rejection of an un-Christian dogma. To the contrary may we not say with Tennyson,

"Yet I doubt not through the ages one increasing purpose;
And the thoughts of men are widened with the process of
 suns."

Life is never an "Appian Way," leading from everywhere to the forum of self-conquest. There must be both victories and defeats, and "virtue consists not in never falling, but in rising every time you fall."

But, oh, the difference between the Present and the Past, as recorded with regret by loyal eye-witnesses! If to read the intimate history of long ago is to run the risk of contamination, what must it have been to live in it, when, according to its best people, as pointed out before, virtue was only possible behind monastic walls or under a cowl, and not always even then!

CHAPTER XII

IN further and final disproof of the theory that the world is getting worse and that America is morally deteriorating, and that at the bottom of it all are disregard for the sanctity of marriage and facility in securing divorce, we refer the reader to an article entitled "Taxes — Fees," page 528, Vol. II, of "The Philosophical Dictionary," published by W. Dugdale, 16 Holywell St., Strand, London. After reading that price list for the remission of crimes, and the sort of crimes commonly committed in the old days, we are convinced that the reader will never think again that the world is getting worse, or that America is falling from higher standards. It will rather increase his esteem for his age and country. Yet there is a divorce, or, if you prefer it, "separation," that modern Christianity recognizes as being without violation of the highest ethics. And there never will be, nor can be, a time,—since to err is human,—when the separation of man and wife, because of certain contingencies, can be abolished, nor when it will not be necessary to apply to authority for the just settlement of complicated wedlock conditions.

It may be managed by better laws than now, but it never can be abrogated. Take, for example, cases of chronic or incurable contagious diseases likely to

be contracted by wife or family, or insanity, or other nervous disturbances, such as epilepsy, possible to be transmitted to offspring, and various incorrigibilities such as drunkenness, inveterate neglect of children and home, and sundry other criminalities. For such and other similar conditions orthodox Christian Protestantism, like the Bible, permits divorce, temporary or perpetual, and even with the protection of the civil courts, until the conditions demanding separation are remedied. Yet, during this suspension of the marriage relation from bed and board,—“*a mensa et thoro*,” as it is technically called,—the separated persons are still man and wife. There came lately under our observation the case of a well-known man, whose wife was hopelessly insane and beyond control. He had supported her in a private sanitarium for forty-two years. It was not until after her death that he felt justified, as a Christian, in marrying again. This case is exceptional only in length of time: we all know of wives and husbands who have taken sympathetic care of the disabled ones under the same conditions.

The only offense, according to Christ, that dissolves matrimony, *a vinculo matrimonii*, with the privilege of re-marriage on the part of the innocent party, is adultery. The scripture upon which this theory of marriage is based may be found in the ninth verse of the nineteenth chapter of the Gospel according to Matthew, where Christ, addressing his disciples on the subject of marriage and divorce, said:

“And I say unto you, Whosoever shall put away

wife, except it be for fornication, and shall marry another, committeth adultery: and whoso marrieth her which is put away doth commit adultery."

In contrast to this, "the Exegesis of the Catholic Church is unanimous in excluding the permissibility of absolute divorce from this or any other scripture." See Catholic Encyclopædia. Yet, notwithstanding this dogmatic positiveness, the laws of the Christian emperors before Luther permitted absolute divorce for more causes than the laxest laws have done since. And judging from historic indications,—we have no statistics on the matter,—divorces with the privilege of re-marriage were more frequent before the Reformation than now. We do know that the law of absolute divorce was continually being debated in council and out of council, between laity and clergy, and it did not become an article of Catholic faith until the "Council of Trent." All popes, as a rule, opposed it; some of the clergy and nearly all the laity were in its favor. Among the prominent clergy apparently sanctioning the re-marriage of divorced persons, when the cause of their separation was adultery, was St. Basil, who said of husbands in such cases, "He is considered excusable," "He is not condemned." When speaking of the milder treatment of the husband than of the wife with regard to the canonical penance imposed for adultery, St. Epiphanius taught that "the man who put away his wife because of adultery was permitted by the divine law to marry another, especially if they had been long separated from each other."

"The lives of the faithful were not indeed always in accord with the doctrine of the church," says the same authority, writing on the subject of divorce in the Catholic Encyclopædia, "so that there are to be found regulations of particular synods which permit unjustifiable concessions." So likely was this to happen, it would seem, that it was said by way of distinction of a certain synod that it maintained *without ambiguity* the permanence of the marriage bond even in the case of adultery. So that the claim of the medieval church in regard to uniformity in the matter falls to pieces upon closer inspection. The Frankish Synods, for example, allowed re-marriage in certain "acute cases." The Council Verberia said that if a man went abroad and his wife refused to accompany him, she must keep single, but he may marry another woman without blame, or "can receive another wife with penance."

According to one authority, "If after marriage and before its consummation one of the parties desires to enter the religious life, even without the consent of the other, the other may enter upon a new marriage." Another council, that of Compiègne, says, "Marriage is dissolved, whether consummated or not, after one of the parties enters the religious life."

Lapses into "heresy,"—for example, one of the parties becoming connected with a non-Catholic church,—is cause of absolute divorce, with the privilege of re-marriage on the part of the husband. "In such circumstances, though," says a contemporary canonist,—Smith, in the Catholic Encyclopædia,—"d

not bring about a dissolution of the marriage bond, at least a cessation of married life must be permitted."

Heresy is defined as "adhesion to a non-Catholic Church," and permission of divorce to such persons is because of the possible danger to body or soul (*periculum corpori aut animo*) on the part of the baptized person in living with a member of any non-Catholic church. This danger to the body or soul consists in temptation to some mortal sin,—either the denial of the Catholic faith or the neglect of Catholic education of the children. When a new marriage is contracted, if the wife, no matter how pure-minded and upright she may be, is unwilling because of religious scruples to have the children educated according to the ways of the Catholic church, the husband regains the right to re-marriage while his wife is living, although this is contrary to the laws of every civilized land.

Besides, there are other things permitting the Catholic husband to enter fresh espousal during the life of his wife, notwithstanding the claim that the "bond is indissoluble." According to another canon, in case a woman with other men conspire to kill her husband he has a right to divorce her and marry another woman.

Innocent III, expatiating on the so-called Pauline privilege,—see the seventh chapter and eleventh verse of Corinthians,—says that in case of a believer's being married to an unbeliever, if the unbeliever does not want to live with the believer, then *she* may go, and *he* is justified in entering upon another marriage.

The pope also has authority, "by right of his office,"

according to the faith of Catholics, to dissolve marriage because of his power to bind and to unloose. "If anybody says to the contrary, let him be accursed."

The Council of Trent was the first to make a dogmatic decision on the matter of divorce and marriage, settling it for all time, as may be seen by Section XXIV, Canon V, which declares:

"If anyone shall say that the bond of matrimony can be dissolved for the cause of heresy or of injury due to cohabitation, or of willful desertion, let him be anathema." And in Canon VII: "If anyone shall say that the church hath erred in having taught, and in teaching, that according to the teaching of the Gospel and the Apostles the bond of matrimony cannot be dissolved, and that neither party, not even the innocent, who has given no cause by adultery, can contract another marriage while the other lives and that he or she commits adultery who puts away an adulterous wife or husband and marries another, let him be anathema." This is supposed to mean the indissolubility of marriage, even in the case of adultery. That it is contrary to the teaching of Christ may be seen by referring to the various translations of Christ's words on the matter.

It has been said by certain evangelical commentators that Christ only permits the privilege of remarriage to the husband in case of the wife's transgression without granting the same privilege to the wife when the husband is the offender. It does seem, according to the letter of the declaration, that only the man, on the premises, is granted the prerogative of another

espousal, and cases have been thus decided in the English courts. The Bible proclamation may seem one-sided, and as if its author, after the manner of the profane in all ages, had discriminated against women. But may it not mean as well a recognition of woman's position of greater responsibility, of her finer character and more susceptible nature, of her keener moral discrimination, that when she, with her clearer ethical perception, violates the law of her better being, it is more likely to mean moral tragedy and the obliteration of the impulses of restraint, unfitting her for her higher conjugal responsibilities in the training of children?

Through the ages this transgression has meant more to women than men. "For unto whomsoever much is given of him shall be much required." Man is not so likely to have his career end in disaster because of violating the law of chastity, just as the crockery pot may sustain a fall without irreparable injury that would shatter to atoms a bit of finer-fibered Sèvres or Beleek.

This elucidation pretends to nothing but an irresponsible conjecture on our part, hesitatingly offered to believers,—neophyte in exegesis that we are,—as a feeble attempt at the solution of a seemingly serious verbal inadvertency in the Biblical declaration. Perhaps, though, the omission of the "*vice versa*," if it is omitted, may be due to the carelessness of a scribe. This theory, though, ought to be received only with the greatest precaution. The fact remains that Christ does not say that when the husband is the offender the *wife*

has the same right of absolute divorce as the husband.

The question of divorce, as we have seen, was one of heated discussion in the older church, after she had gotten away from primitive practices, almost from the beginning to the Council of Trent. And it is not settled to general satisfaction even now. Yet we are supposed to believe that before the Reformation there was no confusion in matters of faith, that the Christian world was just a nursery of innocents, sometimes to be sure a trifle recalcitrant after the manner of children full of life, but at the raising of the finger of Mother Church turbulence subsided into obsequious submission, and impulsive contumacy kissed the hand that carried the rod. And all this has changed, especially in heterodox America, because of our rebelliously declining to accept "the Catholic doctrine of marriage as a sacrament," as if marriage were not the most sacred thing in every man's life.

"Oh, Father Abraham! What these Christians are whose hard dealing teaches them to suspect the thoughts and conduct of others!" As if there were any place in all the world where the obligations of marriage are more sacramentally observed than here in America and among our own people.

Where in the world are the sanctities of the home and the marriage relation observed with greater fidelity? Where are women held in higher esteem and in spite of misleading slander, where are women more deserving of such consideration?

In the crucible of all experiments scoria rises to the

top. As long as it is in sight, it may be removed. And so with America: if sufficiently vigilant we need have no fear that because of moral deterioration the experiment of a government "of the people, for the people, and by the people" shall vanish from the earth.

There are more insane persons and epileptics in the United States than there are divorced persons. Yet we are not a nation of lunatics and epileptics. There are more victims of imbecility and blindness than there are families living apart in the United States. A large part of them, to be sure, are Americans only in name. Yet we are not all blind and feeble-minded.

There are many errors that even as matters of economy have within themselves the elements of cure, so that there is no necessity for panic. Cultivate repose: these errors will be adjusted in time.

We have alluded before to the Jews. Among "the chosen people" from time immemorial the husband as head of the family divorced the wife at pleasure, no one objecting, perhaps not even the wife. The way that the father of the faithful divorced Hagar is a case in point. "The right of the husband to divorce the wife at pleasure," says the Jewish Encyclopædia, "is the central thought in the entire system of Judaism." It was not set aside by the Rabbis, though its severity was tempered by numerous restrictive measures.

It was not until the eleventh century that the right of the husband to divorce his wife at will was formally abolished. Yet without any belief in the seven sacraments what people to-day live more loyally to the mar-

riage vow, more devoted to their family, more obedient to law, than the Jew? It is but rarely that they apply for separation. With them the evil of promiscuous divorce has remedied itself — they too have a sense of humor — as it will also with us. We feel that the time will come when divorce will seem as incongruous to us as a beggar at the door of a bank.

It took the "Mother Church" nearly seventeen hundred years to decide definitely and unitedly, among her own exclusive people, too, what Christ meant by marriage and divorce, and then it decided wrong. There is hardly a Catholic nation to-day that accepts the pope's theory of marriage, and many of them will not recognize marriage by a priest as marriage at all. And since it took an exceedingly superior and exclusive people, the Jews, among themselves, to their own satisfaction, and so as to be fair to woman, five thousand years to settle the same question, surely America ought not to be blamed because she has not determine what was best among a heterogeneous people of multiplied beliefs and no beliefs in *forty years*. Indeed has hardly been a conspicuous problem for that long.

When America was more of the reformed orthodox faith there was no divorce, as there is almost no divorce among orthodox Christians still. In the old days in that America that represented English stock and evangelical belief man and wife had either to live together at home or apart in jail, and the malcontent who preferred jail could be calculated without the aid of an adding machine.

CHAPTER XIII

How then have we deteriorated in *anything*, and how has divorce been the cause of that deterioration? Promiscuous divorce, bad as it is, is virtue as compared with the common habits of the best people of long ago, or else history needs to be rewritten and archives and records expunged from the parchment of the past.

The deluded people who imagine that American newspapers or plays hold the mirror up to American nature and present a true picture of social and domestic conditions here, know but very little about the homes of America. Even our politics, to revert to the popular theme of every shallow lampoonist, are not as black as they are painted. We only make more of a fuss about comparative trifles that would hardly be mentioned in other lands. As a rule, with here and there an unfortunate example, made too conspicuous by journalistic rivalry, our public men compare favorably with anything the world has before known. In these days common men in public life become wealthy by merely questionable methods; in the old days "noblemen" went to war with a weaker power solely for rapine and spoliation, and returned rich for life with the wealth extorted at the mouth of the cannon from their slaughtered neighbors, and the church sang *Te*

Deums in honor of the "victory" that had been won.

And as for cruelty, surely no impartial person could read of the wars of the old times as compared with war since, "hell" as it is, without being convinced of the unbridled cruelty of the past. The very clergy of the times, as is well known, urged murderous soldiers and ruffians without a human instinct, to give the enemy no quarter, and *Te Deums* were sung in great cathedrals all through the dark ages; and even as late as the night of August 24 and 25, 1572, the Blood-wedding, the name given to the massacre of Protestants in Paris on the night of St. Bartholomew's Day, when the people of the Reformed faith were inveigled into the city by the depraved Catharine de Medici to be ruthlessly killed. Only two of the leaders, Condé and the King of Navarre, were saved by going to mass. Between thirty and seventy thousand of the people of France of the Reformed faith were murdered by blood-thirsty fanatics, the horror lasting for several weeks. The pope, the head of the Christian Church, instead of calling a halt to the slaughter, was so pleased that he celebrated the event in Rome by a procession to the Church of St. Louis, a grand *Te Deum*, and a proclamation of a year of jubilee. Have we deteriorated from that, when instead of sanctioning such infamy, every variety of distress has an asylum, even anguish a retreat in organized sympathy, and almost every cripple a marble palace, and soldiers taken from battle are treated as honored guests. So euphuistical have we become as humanitarians in

travagant philanthropy that even the rich owner of the accidentally unblanketed horse is punished for cruelty, and you must almost chloroform your chicken so as to kill it without pain when it sleeps. Such is the cruelty of to-day as compared with times dead and almost forgotten, when captive women taken in battle were divided among their conquerors.

Animal rights had hardly begun, or, if so, were branded as fatuity — male prisoners, taken in battle, were sold into slavery, had their eyes put out, sometimes their hands cut off, sometimes their tongues cut out, or were less cruelly put to immediate death at the point of the bayonet. The neutral denizens of towns, villages, and besieged cities, mothers and children, the sick and well, were equally reduced to ashes by their Christian conquerors, sometimes urged on by fanatical priests.

Even in religion the confusing and extraordinary state of uncertainty into which Christianity had fallen, before the rising despotism of the Roman pontiff had succeeded in crushing down into one stupidly uniform mass the almost innumerable sects, presents an appalling picture of intolerance and cruelty.

No two sects agreed in any one thing except in mutual hatreds and in mercilessly persecuting their opponents when they had the power. See "Mahomed the Illustrious," by Godfrey Higgins; Peter Hechlin, p. 77. How different now, among the Christian sects, where there is union in essentials, liberty in non-essentials and in all things charity. You need only to read

about the religious wars of the Crusaders, Knights of the Temple and of Malta, so licentious while imposing a religion upon others that they did not practice themselves that indignant decency finally demanded their abolition, even to the extent of putting many of them to death at the stake.

To know further of the past nearer our own time of "the Council of Blood," established with the consent of his orthodox master, by the vindictive and pious Duke of Alva, when all the inhabitants of the United Netherlands, men, women, and children, were sentenced to immediate death by three lines of an infamous pen, and the verdict was approved by arrogant infallibility; and this merely because of a difference of religion. When the defenders of the dominant religion became exhausted with killing their "heterodox brethren" they resorted to cutting the tendons of the legs and arms so that they could neither walk nor help themselves, and left them thus in hundreds by the roadsides to die of exposure, starvation, and pain. See Motley's "Rise and Fall of the Dutch Republic."

As another illustration of the Arcadian tenderness of the more beneficent past, when all people regarded marriage as a sacrament and as a consequence all iniquity had ceased, we give the following excerpt from lectures delivered at Oxford by the learned Dr. Whiston describing the moral status of certain past centuries:

Speaking of the state of Christianity at this time he says: "Divided into numberless parties, on account of distinction the more trifling and absurd, and

tending with one another from perverseness, and persecuting one another with rancor, corrupt in opinion and degenerate in practice, the Christians of this unhappy period seem to have retained little more than the name and external profession of their religion.

. . . The most profligate principles and absurd opinions were universally predominant: ignorance, amidst the most favourable opportunity for knowledge; vice amidst the noblest encouragements to virtue; a pretended zeal for truth, mixed with the wildest extravagancies of error; an implacable spirit of discord about opinions which none could settle, and a general and striking similarity in the commission of crimes, which it was the duty and interest of all to avoid."

Again he says: "The images of the saints who had labored to disseminate and the bones of the martyrs who had died to confirm the faith were now, by the arts of a designing priesthood and the ignorance of a superstitious multitude, held up as proper objects of religious adoration." And further on: "The blind fury of superstitious zeal extinguished the tenderest sentiments of nature; the majesty of the laws was trampled on and violated with impunity, the cities of the East were deluged with blood."

Even the sense of humour, the love of sprightliness and fun, regard for play of fancy, or exhibition of wit, retort, or repartee are absent, except an occasional specimen of coarse animal buffoonery. Their social or literary amusements had to do with disgusting things connected with marriage and "Celibacy," and

often at the expense of their friends. I do not know a clean joke or an ingenious witticism in all the literature of the then miracle ages. Even with Erasmus (their greatest, perhaps only, wit, if we except Rabelais. See *Moriae Encomium*, or "Praise Folly," dedicated to Sir Thomas More, and illustrated by Hans Holbein) the so-called wit was really filthiness, usually at the expense of the celibate monks and chaste women. You wonder how a man who had translated the Bible into Greek could be guilty of it, but it was in that air that had been saturated with filthiness for centuries. In the fifteenth century during the time of Charles VI in the war to regain Naples from the Spaniards everything that unbridled pillage and license could invent or imagine was practiced upon the wretched Italians, even to the introduction into Naples of *Morbus Gallicus*; and during the "Thirty Years' War" every conceivable cruelty was perpetrated upon the most defeated Dutch, and merely because of a difference in the interpretation of a few lines of Scripture. See Motley's "Rise and Fall of the Dutch Republic," a book that ought to be read by every American.

We need hardly recall to the memory of the reader many other "Christian" wars, when the captives were sold into slavery, as was the common custom in those times, or put to death without quarter. Women, considered a part of the spoils, were divided among conquerors, helpless infants as an amusement

pitched in the air from the points of bayonets, and villages, with their handicapped cripples and old people were without compunction reduced to ashes and scattered to the less pitiless winds to satisfy the lust for slaughter.

We are alluding to these intimations of scenes from the "pious past" simply in defense of the present against the charge so frequently made by shallow inconsequence of present moral delinquencies. Think for a moment of the contrast between the above mentioned treatment of captives, often neutral captives too, after centuries of so-called Christian experience, as compared with what the "pagan" Japanese extended towards the burly Russians taken prisoners during the late war. Then the Japanese cared for their captives as if they were honored guests; housed them in sanitary quarters; fed them on proper food; when they found them illiterate and ignorant supplied them with teachers selected from their own countrymen, and at the close of the war released them, well clad and some of them able to read the printed language of their own land. At the beginning of the war, in giving instruction to the army, it was a Japanese general who said, "When a man lays down his arms he ceases to be an enemy, and must then be treated as a brother and a friend."

This altruistic step in advance, this superlatively human element introduced into the business of war by a nation making no claim to Christianity, yet practicing it, fixes attention.

In the old days of unlimited faith,—when all Christians belonged to the church said to be the only genuine one, all others being base imitations, and before, it is claimed, divorce was introduced to account for all the compromises of life,—after battle, the victors rifled the pockets of the vanquished, kicked the dying, cut the throats of the wounded, subjected them to every indignity when still alive, and after death usually denuded them of their very clothes, leaving them often to rot on battle-fields, divested of everything but mutilations and wounds.

Oh, the alluring days of yore, when the devout found it incumbent upon him as a Christian to go to meet his wife before keeping an assignation with his neighbor's wife, and any sin could be condoned by indulgence.

After a battle in these degenerate days, even "gangs" raise their wounded enemies from the earth when crushed into insensibility by their own retreating countrymen, carry them on their backs to well-equipped hospitals, that their wounds may be healed, or at most that the poor wretches may be soothed in the silence of death by sympathetic tenderness.

And as for the superior morality of the olden times we need but to remember that the Lotharios and Juans of the Middle Ages, and since in countries where there was no divorce, were often popular recipients of distinguished court patronage, selected without protest to represent the home government in foreign lands. To-day a man could hardly be elevated to the position of dog catcher, unless morally he

a better man than many of the church anointed rulers of the olden times.

Think of the state of morals in even the states of the church, in the good old days of temporal power, when the church had no rivals and no outside religious interference, in spite of such inspiring examples as Gregory the Great, Hildebrand, and Bernard of Clairvaux, which may be conjured into life by the mere mention of such names as Sergius III, about A. D. 904, when there were nine popes in thirteen years and their careers were mostly abridged by their being strangled in prison, or poisoned, or smothered between pillows, or of Pope John XII, raised to the papacy at the age of nineteen, of whom no account can be given which would not sully the page and shock the sensibilities. So vile was he, and Rome in his time, that devout women during his pontificate were deterred from making pilgrimages to the legendary tomb of St. Peter by the justified fears of nameless outrages.

It was during pre-Reformation days, and before the corrupting era of frequent divorce, that Benedict V was degraded and banished. An usurper, Boniface, assumed the papacy, but was soon compelled to fly, carrying with him the sacred vessels of St. Peter. Yet he returned afterward to murder the pope, who had taken his place as Benedict VII.

Let any Thomas, doubting the superiority of the people of to-day, read under the caption "Pornocracy," in any comprehensive work of historic reference, what was going on in the ecclesiastical capital of

the world and the center of western civilization during the ninth, tenth, and subsequent centuries.

It was not a writer of the reformed faith, but "the learned and scrupulous Mabillon," who confessed that most of the popes of the tenth century lived rather like monsters and wild beasts than like men. And was it not the intrepid and heroic Hildebrand, following his, to him, holy purpose with unrelaxed zeal till the day when he died at Salerno, a fugitive from his capital and a pensioner on his friends who exclaimed with almost his dying breath, "I have loved righteousness and hated iniquity, therefore I die in exile."

When the removal of the seal of church government from Rome to Avignon, at the end of the eleventh century, was being discussed, it was the statesman Machiavelli, author of "The Prince," who said, "If the Papal Court were removed to Switzerland, the simplest and most religious people of Europe would in an incredibly short time have become utterly depraved by the vicious example of the Italian priesthood," which was certainly not a flattering prophecy.

Even ecclesiastics did not confine themselves to conscientiousness of conduct alone, but are charged with a taste for that lowest practice of debased minds, obscenity, in which particular "they exceed the law writers," declares William Roscoe, an accomplished Italian scholar, one not given to railing, in the appendix to his "Life of Leo X."

Dante also, in one of his flights, compares the papal

court to Babylon and asserts that it is "a place deprived of virtue and shame."

It is significant of the condition of morals in the old days that historians pick out, just as an exception, here and there in the history of "the great Christian Nations" short periods — very short indeed and far between — when courts were considered correct in the way of conduct, that is, not outrageously flagrant. For example, they point out Spain during the age of Ferdinand and Isabella, near the time when the holy Inquisition, under the tender direction of the successors of a saint, put thousands of their countrymen to death by fire, and France during the reign of Louis XVI, and England during the brief régime of Cromwell. To-day, to the contrary, *iniquitous reigns and rulers* are so very exceptional that we do not know of any one who could put his finger on a spot of moral compromise on the part of any of our presidents, chosen as they are from the ranks of work-a-day believers and of the modern faith.

Think, by way of contrast, what were the claimed rights of kings over the very virginity of the daughters of their vassals in feudal times, with neither Church, so clamoring now about divorce, nor State to utter prohibitive protest against the outrage, and how our common American world to-day would oppose such a libidinous slaughter of the innocents. This subject, so common in old times, is too gross to be recorded for popular reading.

So notoriously bad was behavior of all sorts be-

fore the days of modern moral enlightenment that the very vocabulary of vile terms used by popular writers of past Christian periods and by "Christians," that is, baptized authors, is of the most revolting nature. There was not a form of lewdness for which ingenuity had not invented many luminous names and synonyms. Monsieur Dufour fills two pages of his book with the words that were employed to express the common infidelities of married people alone.

We do not need to go out of the way in our studies of the subject, but only to read contemporary books to be convinced of the great progress in the conduct of life and in innate refinement.

How, we repeat, an educated person can charge contemporary society with moral deterioration, consequent upon divorce, without being guilty of culpable ignorance or criminal bias, is a mystery beyond our fathoming, unless it be because it is easier to be credulous than curious, and requires less effort to believe than to investigate. One of the most famous French preachers, Maillar by name, who rose to eminence under Louis XI in the fifteenth century, expresses in his printed works the moral state of the people during his period. His sermons on the corruption of the times reveal a most depraved state of affairs and show how far from the Golden Age must have been the people of that day. This preacher-priest anathematizes after the obsolete manner parishioners who let their houses to abandoned women, because of the great profit there was in it. "*Vultes vere posterioribus meretricum,*" he

exclaims, and he denounces also with vehemence "the crimes of impudicity, which are committed even in the very churches and which the pillars and naves would denounce, if they had eyes and voices." He thunders against "procuresses," an omnipresent class then,—women of Mrs. Warren's profession,—in the Middle Ages, who ought, he says, "to be burned at the stake, especially when, as is often the case, they are both the mothers and vendors of their own daughters." "Words fail me," he continues, "to denounce the association of abandoned women with ecclesiastics." He invokes the Divine wrath upon those of his congregation, "*quæ dant corpus curialibus monachis presbyteris.*" Both he and other Priest-Puritans before the Reformation fulminate thus maledictions upon "lewd convents, some of which are mere seraglios for the bishops and monks, where every abomination is practiced."

CHAPTER XIV

DIVORCE, then, and its proclaimed contemporary consequences are not of Protestant Christian origin, and did not begin with Martin Luther and Henry VIII.

"It is an unjust scandal in our adversaries," says the learned Sir Thomas Browne, "and a gross error in ourselves to compute the nativity of our religion from the monarch, who, though he rejected the Pope, refused not the faith of Rome."

Although, like his successor, the playful Mr. Chesterton, Henry protested against the *authority* of the Pope, yet he was born, bred, lived, and died in the Catholic communion. In his arrogance, sensuality, intolerance, and brutality, we repeat, he was no worse than many who preceded him in that same communion, and who are now lauded as elect, so that we never have been able to accept the justice of that judgment by which one monster is discriminated against more than another.

Divorce existed in the "Mother" Church, without unanimous condemnation, from its beginning until comparatively modern times. It was, as we have shown, sanctioned by many of her leading people, who instead of condemning, made laws extending rather than limiting it. It was not until the Council of Trent, 1563, that the church for the first time *unanimously*, but contrary to the plain teaching of Scripture, declared

that divorce *a vinculo matrimonii*, for any cause, was in opposition to her ruling.

If, then, it took the Medieval Church, with all her instruments of instruction, persuasion, and coercion, some sixteen hundred and fifty-three years to bring the people of *her own communion* into practical harmony with her views, which are contrary to Christ's, on such an important subject as marriage, surely "heretical America" is not to be blamed so much because that in thirty-five years, more or less, she has not succeeded in bringing all *her heterogeneous children* into orthodox practices on the same subject.

Divorce did not exist at all in the United States when its people were almost exclusively Protestant; and it was not until the great influx of non-Christian heterodox people that it became so rampant. Nevertheless, if a certain class of our clergymen with obtuse moral discrimination had not been recreant to orthodox training, it never would have become in the popular mind the reflection on Protestantism that it is; yet, in spite of this compromise on the part of a few members of the clerical profession in America, with limited moral perception, perhaps rather than actual criminality, we still claim for our ministers the spiritual, moral, and intellectual qualities that make them the peers of the best religious teachers in the world. The man must be ignorant indeed who does not know, from their pens and their spoken word and their lives, what the world, in the way of uplift, owes to our self-sacrificing clergymen, and in what high esteem, in spite of the

brayings of foul-mouthed slander, marriage is held by our Christian, home-loving people.

As an illustration of the common attitude of Americans, with few exceptions, to divorce, we know that when a once prominent personage, although a great favorite of the people, deserted his wife and married another, to the credit of our people he was silently driven out of society, out of the church, out of the city, and, although regretfully, almost out of the memory of his former friends.

Members of American churches are not the people who frequent divorce courts and then become candidates for remarriage. Not only does this excite the indignation of respectable people, but denominations that allow without condemnation the clergymen within their ranks to marry divorced people, even when divorced on Scriptural ground, are not held in high esteem.

Yet certain clergymen, to their disgrace, be it said, have married, even in churches dedicated to the exclusive service of God, notorious people, divorced without even Scriptural excuse and for the purpose of being remarried. Clergymen have done this, notwithstanding the fact that such marriages are condemned by every evangelical denomination, and then have blasphemously besought the blessing of the Almighty upon a union that he had declared adulterous. Surely the congregation that permits this without either reprimand or expulsion of the guilty party is *particeps criminis*. We may be sure that the community notes it, that religion

is hurt by it, and that all the platitudes of protracted meetings, broadening of phylacteries, and lamentations about spreading iniquity are not sufficient to protect such concessions to lubricity, such trailings of the standard of holy matrimony in the dust, from public scorn and opprobrium. It is so much like the paganism of giving a euchre or bridge for the benefit of the neglected children of gamblers, or opening a saloon in the interest of slaves of intemperance.

A few years ago we were invited with twelve hundred other persons to a wedding in a neighboring town. The deserted wife of the prospective bridegroom was a virtuous, weak woman, consequently one that offered greater opportunity for heroic conduct on the part of her husband, if there had been anything heroic in him. For some time previous to his wedding she had been living in a small room, alone, earning a precarious living as a scrubber of floors in an apartment store. The clergyman knew all the conditions, even that the little daughter of the "gentleman,"—the prospective benedict,—was going to be flower girl to the woman who was about to take the place of the deserted mother, whom the father had promised to love, cherish, and protect.

Twenty of the twelve hundred invited guests came to the wedding. Nine of those were liquor dealers, who came from curiosity. They had never been invited before to a "fashionable" or "swell" wedding, and to them it was an event. Consequently, the candidate for remarriage, who was a scoffer at all religion,

failed in what he wished,— a big church wedding advertisement. The ceremony was performed, in spite of numerous invitations, in a gorgeously decorated but *empty* building. The man who had abandoned his wife was rich, and from being a bad Catholic had hoped to find that rest in agnosticism that he had not found in the church into which he was born. We felt that every one of the twelve hundred invited guests who did not come to the wedding, and that the nine saloon-keepers who did come, and that the bridegroom himself, because his pride was humiliated and his better nature insulted by being thus married, despised the minister. The latter, by the way, was an independently wealthy man, consequently was not tempted by the prospect of a big fee. His act was suicidal, his clerical career was ended: he had sold his birthright for a mess of pottage, and was as dead as if an arrow had pierced his heart. Not long afterward he moved to another city because of the indignation of his congregation; and he has since gone out into the darkness of clerical night.

During early professional calls we have occasionally met the deserted wife returning from hard labor to her lonely room,— for she is employed in the night,— bent, heart-broken, humiliated, prematurely old. We have also met the beribboned nurse of the new companion,— surely she is not a wife,— in a carriage, with the baby of the new union, as she gives it an airing in the park; and as we remember the mockery of the prayer that asked God to bless with good results the profane cere-

mony, we instinctively abhor, in spite of its other beneficence, the organization that without public protest tacitly lent its aid to such an outrage.

Christian ministers, as you esteem personal honor and your high calling, avoid the celebration of marriage that has only civil authority. There are magistrates for that. And even when the candidate for remarriage has been divorced on Scriptural grounds there also is scandal, doubt, and disgrace connected with it, and the ceremony, even if expedient, cannot be made any more secure by being done by a minister and in a church. Besides, the man must be a poltroon who enters a court of justice to prove the woman he promised to love, honor, and protect a wanton, or *vice versa*, and then expect a clergyman to unite him in a new experiment with another woman!

There is only one offense, according to the law of marriage as laid down by Christ, justifying remarriage during the life of the former partner, according to Christian ethics.

There are causes, though, justifying the separation of man and wife. They do not necessarily involve disgrace and may take place without the annulment of marriage and are consistent with the teachings of the Bible. We mean the temporary disseverance of married people with certain transmissible diseases, until such time as the cause for separation may be corrected. This does not mean that they are not still man and wife.

Such diseases are epilepsy, syphilis, insanity, and, where there are likely to be children, *chronic drunken-*

ness and a few other maladies. Yet, in order to make even this sort of separation as infrequent as possible by prevention, it should be made obligatory for candidates for marriage to present to the clergyman or the civil authority that marries them a doctor's certificate declaring them sound. We are aware that a great deal in the way of ridicule may be said about such medical credentials, yet the practice of securing a doctor's certificate before marriage would be a sound practice, resulting only in good to the community.

Epilepsy in particular is one of the conditions of the nervous system apt to escape the scrutiny of the officiating clergyman, as the patient himself may not always know of his malady, as many persons, aware only of headache in the morning, are suffering from a variety of epilepsy that is likely to develop into convulsions later, perhaps to be transmitted to their offspring as *epilepsia major*.

The dreadful consequences that this entirely unjustifiable procedure, the marriage of epileptics, entails upon unborn generations can be known only to medical men. Within the past three months we have known of two weddings, where, in each case, one of the participants was an epileptic, without the clergyman's knowing it. If such cases are not discovered before the ceremony, the couple ought to be kept apart until at least three years after recovery, or if there is no recovery, until after the menopause. A law should be enacted making it a misdemeanor on the part of the person performing the ceremony, and declaring all such marriages null and void.

honors and lives up to marriage as a sacred and holy obligation merely, a candidate for the presidency came near being defeated because, in his thoughtless youth a son was born to him out of wedlock; a child that he was noble enough subsequently to educate and protect until able to take care of himself, instead of hiding him away in some "home" for nameless waifs, the common practice, as we know, of many believers in the sacramental nature of marriage. And this is the only case of the sort in connection with any of our American rulers, who have all been always above reproach in any way maritally compromising.

Even literature and art was prostituted under the lewd influence of Louis XV. The most popular novel of that century, 1710-1774, was "Manon Lescaut," the work of an abbé, narrating the adventures of a prostitute. And when we recollect that Crebillon, Diderot, Mirabeau, and even Montesquieu, and indeed most of the eminent literary men of France wrote deliberately erotic works, which were widely read by both women and men, some idea of the superior morality of their times may be conjectured, and also when it is known that La Fontaine's infamous *Contes* and *liveliest* poems were written for Anne Mancini, the youngest niece of Cardinal Mazarin.

Where, among our best writers, even when not believing in the deity of Christ, let alone the sacramental nature of marriage, can you find an allusion, word, or thought unfit for chaste perusal? We defy any man to lay his finger on a single objectionable or morally

compromising line written by any of our famous writers. Even poor Poe, notwithstanding personal weaknesses, which might be a reason for other obliquities, in his literature is as free from impure suggestion as a saint of the type of good Lucretia Mott.

During those old orthodox days, when the church had an active hand in political as well as religious matters, debauchery was so excessive that even horrified nature attempted in vain to prevent or restrain it,—as everything else had failed, through the instrumentality of a nameless disease, with which everybody seems to have been affected. And this was France during the days of her highest culture, when she was in a position to put persons of the reformed faith, and of any faith but her own, to ignominious death by hundreds, when she had her own way and could enforce the acceptance of fundamental doctrines, when cardinals were her prime ministers, and when she proudly proclaimed herself the youngest daughter of the church.

The most influential men of the church were tainted with immorality, and we are told again that “the great Cardinal Richelieu was the most famous lady-killer of a debauched court,” and of his predecessor, Cardinal Dubois, although of an ugly exterior, “it has been said that he continued by his mixture of wit and hypocrisy to win the esteem both of the rich widow of the Duc de Chartres and her son, the one by flattery, the other by odiously pandering to his vices and because of their mutual love of letters.”

themselves overmuch about theologic or metaphysical problems,—not that theology and metaphysics should be neglected,—rather desire to express their faith in *service* to their fellow-men. And when we think of the number of places of relief for every form of distress,—free institutes of learning, homes for aged persons and cripples, asylums for the insane, schools for the mentally backward, sanatoria for epileptics, free libraries where the wisdom of the ages is brought to the homes of every lover of learning, and so many other benevolent organizations, to a great extent produced and supported by Christian and also Hebrew beneficence, for unbelief too has its cherished benefactions,—we must feel convinced that this is better than wasting time and energy as in the old days over hair-splitting differences of creed and faith that resulted only in the bitterness of persecution.

Although the theologic significance, then, of the word “sacrament” may not appear so important to the practical religionists of to-day, yet it was the writing of a treatise by Henry VIII against Luther in support of the sacraments that induced the Pope to confer upon the overscrupulous benedict and theologian the title that has been acquired since by the voluminous Mr. Chesterton, namely, Defender of the Faith. And from the benign beginning to the infamous ending of that much married monarch’s career,—we mean Henry VIII, that subsequent juggler with the dissevered heads of women,—he was a good deal of a theologian, so that theology, after all, is not the greatest

thing in the world. His separation from Catharine of Aragon, who had formerly been the wife of his brother, after years of wedlock resulting in the birth of many sons and but one daughter, was due, he declared, to religious scruples in connection with this very doctrine of marriage as a sacrament. He thought, according to the superstition still fostered by the church, that the Lord had diverted His attention for the time being from managing the universe to murdering his sons, because he had married his brother's wife.

Although marriage then, before the Reformation, was regarded as a sacrament, is it possible, in the light of what the present paper reveals,—and it does not, for obvious reasons, reveal a tithe of what it might have revealed,—to conceive of greater laxity of morals than existed during that period when marriage was accepted in all churchdom as sacramentally on an equality with the Lord's Supper?

The things said and done, painted, and carved, and engraved, even by the greatest artists, as well as the works of the literary masters during the ages of unlimited faith in the seven sacraments, can be mentioned now, if at all, only in whispers, and fortunately are not known to the illiterate at all. So gross are they that a knowledge of them is one of the objections to knowing intimately about the Middle Ages at all. Happily they are too disgusting to do anything in these better days but repel.

Many of the then popular works of art, done by the same people that produced the great religious pictures,

could not be publicly exhibited now without scandal, and they are nearly all in ridicule of marriage, celibacy, monkery, and correlative conditions. This method of demoralization, tolerated and patronized by the leading people, often extended to the decoration of the walls of palaces, the utensils and the vessels used at the table, and mural decorations of their homes. And as for the books of the period, they are so vile, so morally putrescent and libidinous that if it were not for the claim of certain publishers of their being "Classics" necessary for one to read in order to know intimate history, they would be prohibited to-day by the society for the suppression of vice. See, for example, Taylor's "House of Orleans" and "Memoirs de la Duchess D'Orleans," for confirmation of our statement.

We are giving but the slightest indication of the intimate life of the masses and of the people occupying the higher circles of society in the olden days, and every person making any pretension to comprehensive reading knows that conditions then were unspeakably bad. Books written by Christians,—not only lay, but clerical,—before the Reformation and for some time afterward are more grossly immoral than books written by pagans, bad as they are, before Christ.

How then can any well-informed man talk of the worse condition of morals to-day than in the days of yore, and know the past in its depraved variety?

Even in religion in pre-Reformation days the sects into which Christianity had divided were more numerous than to-day, and besides their tenets

and practices were too shocking, indecorous, and licentious to be put into words. The religious sects of Christendom to-day are a benefit. They introduce the element of competition into Christian endeavor, and act as a spur to religious endeavor. In the old time they were often but a cloak for licentiousness. The knights and crusaders of various times were so utterly depraved that they were exterminated by Royal and later pontifical command.

To know the past you need only to read about the "Religious Wars" of the Crusaders, of the "Knights of Malta," of the "Knights of the Temple," who, notwithstanding the exalted sentimentality of their original purpose, finally became so corrupt that they had to be suppressed by royal and papal command.

CHAPTER XVI

MARRIAGE, no matter whether regarded as a sacrament or not, is, with the exception of motherhood, the holiest of all ties, the profoundest of responsibilities, including the most inflexible of obligations. Yet where are the conditions of marriage so religiously complied with as by the Society of Friends; by the Presbyterians of Scotland, Ireland, and, with a few notorious exceptions, America; by the Dissenters of Wales; by the Jews, almost everywhere, except here and there by one that has degenerated into uncharacteristic moral laxity; or by the people of the orthodox churches of England, and by multitudes who profess no religion, where marriage is regarded simply as a ceremony or contract, except in one particular, and not always in that,—namely, that it must end only with the life of one or both contracting parties? None of these look upon marriage as a sacrament, yet among what other people are its conditions so religiously observed? Marriage of true hearts surely does not need the embellishment of an ecclesiastical epithet to make it holy any more, dear reader, than your wedding ring needs the ornamentation of a bit of carbon or glass to make your marriage binding. The ring itself is sufficient.

As far as its being necessary to believe marriage is

any more of a sacrament than any other contract, in order to be faithful to it, was it not the Ulysses of pre-Homeric days, and a pagan at that, who preferred his aged wife Penelope to immortality, without having the word "sacrament" in his vocabulary?

It is the way it is kept that makes matrimony holy. There are marriages that, though they have been performed with the flourish of trumpets and by the highest ecclesiastical authority, instead of being sacraments are desecrations; and all the pomp of the universe could not convert them into anything but crime, —Napoleon's marriage to Josephine; Henry IV's, of Spain, to the sister of Alphonso V, of Portugal; also Henry VIII's marriage to Catharine of Aragon, and all his subsequent marriages. Could all the priests, popes, and ministers in the world make such a reprobate's marriage to anybody holy? The reader's memory will find no difficulty in recalling other examples, equally infamous, showing that there is something more required than the marriage ceremony to make matrimony sacred. Nor do Christians need the enactments of civil authorities in the settlement of obligations connected with marriage; that was decided for them, long ago and forever, by the Founder of the Faith, and in words so plain that they can only be misinterpreted by perverseness or cupidity.

It is only when Christians depart from "the faith once delivered to the saints" that they begin to tamper with wedlock; but surely the clergyman is most to blame, who makes the way of delinquents a primrose

one, out of the bonds of a sacred contract into a Scripturally forbidden union.

Marriage is the most beneficent of disciplinarians, when its obligations are assumed as sacred responsibilities ending only in death. There is nothing that gives distinction to a man so much as living up to a bargain, even when it is a bad one. It is not always joy and laughter, but self-denial and forbearance, that develop character and cause the flower of sacrifice to blossom even in the dust.

Take the Countess Tolstoi, for example, and there are many good women in similar circumstances that would have acted just as nobly. What wife in all the world, living with an honest if inconsistent man, had greater cause than she for divorce? Yet, despite the maternity of seventeen children—seventeen children by a man who regarded fecundity a compromise and disgrace, seventeen children born without sympathy and reared without paternal aid—and despite the incongruities of her half-demented husband, with affection only for the characters of his books, the figmental persons he had created with his pen,—despite it all, she kept a home over her head, was devoted to her run-away husband, and carried the white flower of a blameless and heroic life to the end. Would divorce have been as well?

Who does not know of esteemed people unequally yoked, who, rather than take the world into their confidence by an appeal to the courts, or put the finger of disapprobation upon the ulcer of some harrowing sor-

row, suffer in golden silence, often to find that Christian,—not Griselda-like; that's abominable,—patience is better than belligerent protest.

It would be well if the world at large adopted the Christian standard of marriage,—a contract with mutual sympathy, helpfulness, and forbearance, lasting for life. But since it does not and probably cannot, as there are other religious viewpoints and standards to be respected, then the majority must decide for itself; but let it not be imagined, pray, that right and wrong in any matter is *infallibly* settled by counting noses. Majorities are often wrong, and it is the remnant that makes for righteousness.

When Christ formulated a perhaps final law for the government of marriage the world, including his own people, was against Him. Since, the greatest nations have declared Christian marriage the flower, fruit, acme, and consummation of human relations. And the Protestant clergyman who marries divorced people, except on Scriptural ground and then, if at all, only with scrupulosity, and the Catholic church that declares that nothing justifies the marriage of a divorced person but death, are both contrary to the teaching of the Founder of their religion and equally guilty of false doctrine and practice. "And I say unto you, Whosoever shall put away his wife, *except it be for fornication*, and marrieth another, committeth adultery: and whoso marrieth her which is put away doth commit adultery."—Matthew xix, 8-9.

And it does not change matters to declare that the

world is getting worse, and that divorce, a Protestant invention, is at the bottom of it, since the one is simply Godless pessimism, the other, falsehood.

Nor does it help matters to assert that "the older centuries were the best." We admit that some of the greatest things that ever happened are products of the dark ages, not dark though in the poetry that was expressed in stone. But we are not speaking of the power of man over material things, we are only defending our day and generation against the charge of religious and moral retrogression. Not only is there superior religious work in the church, but there is a more liberal and purer religion practiced outside the church, by people too not connected with any communion, than there was in the old times even within cloistered walls, despite magnificent architecture and submission to entrenched authority.

The angel that presides over matrimony, not being a victim of religious bias, knows much that is noble in American homes, and that is not known to the clergymen whose widely distributed proclamations we have used as texts. Even the "Five Hundred," who are held to be the worst people in America, and whose foolish doings are as industriously exploited as if an important part of social happenings, are the merest infants in marital infamy as compared with the prominent people of the past, when marriage was regarded as a sacrament, when almost every prominent person was so depraved that to be moderately virtuous gave a person distinction. Where

to-day can such reprobates be found as Catharine de Medici, of France; Catharine II, of Russia; Anne, of Austria; Louis V, of France; or the Borgias, of Italy; Alphonso, of Portugal; Henry IV, of Spain; the favorites of royalty of the Restoration of England, or later, in the times of George II and William I, when the depraved Earl of Chesterfield was regarded an exemplary man of fashion, and when Pope and others trumped up the infamous Bolingbroke as a philosopher.

Ad aqui uccello suo nido e bello, "to every bird its own nest is charming," does not seem to apply to the men of cataracted vision, malcontents, and traducers of their day, who, if they only had lived in their "superior past," instead of enjoying the life, liberty, and pursuit of happiness of the better present, might find themselves rather dancing a tarantella in the air at the end of a halter, or with a liberal coating of tar, illuminating the well-kept parterres of some religiously æsthetic Nero, for even a lesser offense than vilifying their generation, and with not a friend intrepid enough to utter the mildest protest, because in those dear old days of unlimited faith and church supremacy might was right, and the man in the street the merest cipher.

CHAPTER XVII

BELIEF in the Catholic doctrine of the indissolubility and sacramental nature of marriage must have had a marvelously elevating effect on the community, when such inhuman conduct was common, before the advent of evangelical faith set men at one another's ears! During the reign of Louis XIV both Church and State made much progress in morals. Yet even that conspicuous period contained cardinals like Dubois and Terhorn and abbés like Teucin, while the vast majority of country clergy were moral men, and, despite the law of celibacy, led austere and virtuous lives.

But think of the profligate Louis XV, with all his faith in the sanctity of marriage, when he quarreled with his wife he lived in open sin with four sisters at the same time, one of whom he created the Countess of Mailly, and was quite offended, it has been said, when the fifth sister austereely declined interest in the delectable partnership. Surely even Salt Lake City is not a deterioration from that. He afterward abandoned these sisters for the former general's wife, whom he created Marquise de Pompadour. Everybody knows her remarkable history and how near she stood by him for seventeen years. Yet, as he stood at a window watching the poor creature's funeral procession pass, he heartlessly remarked to a bystander, the day being

rainy: "The Marquise has bad weather for her journey."

Her successor was Madame Du Barry, a common prostitute, selected from the outcasts of Paris because of her skill in debauchery. She aided in the establishment of the notorious *Parc aux Cerfs*, a royal seraglio filled with the most beautiful girls procurable either by purchase or kidnaping. Du Barry, with her paid assistants, was the agent that by every means supplied the monstrous old reprobate with his preferences. They searched France for young girls to suit the king's fancy, "at a cost," it has been said, "of not less than one hundred million francs." The white slave traffic of to-day is done by nameless scoundrels. Then these purveyors were the king's recognized and permitted mistresses, aided by an élite court.

So devout was this orthodox wretch after the manner of the time that he always insisted on having the child of fifteen years that he was about to ruin,—for his preference was for children,—kneel down by the bed and say her prayers in his presence.

After a residence in the seraglio of a few weeks or months, in case they became *enceinte*, the poor victims were thrown out into the world as if they were so many bedrabbled cats. Yet Louis XV and his various mistresses were eulogized by courtiers, flattered by priests, licentious pictures were painted by the greatest artists in their honor, and vile poems were written in their praise by the most prominent men of the time.

In contrast, a few years ago in that America that

CHAPTER XV

SELECTING the polyandrous individual alluded to in our preface as a specimen of American womanhood is like selecting a rotten apple from a branch of good ones as a sample of what the tree produced. To send such a pronouncement broadcast into the world through the Associated Press over the signature of a distinguished name is nothing short of slander. Such women are simply types of a certain class of *women*. They have existed in all ages, and are not peculiar to any nation or to any civilization, and no more represent the women constituting the wives, mothers, and daughters of America than a cretinous moral degenerate represents our athletic countrymen.

We trust we have said enough in previous pages of this paper to defend our people against this slanderous charge, which we regret especially in a clergyman, since it implies Unbelief in the goodness and power of God that is more wicked than many of the condemned heresies.

If God sent Christianity as a means of improving the world, and if, after a trial of nineteen hundred years, the world is getting worse, does not this statement, if true, mean that God himself is defeated? Thus there is more unbelief in pessimism than there is in a thousand honest heterodoxies. If such lamenta-

tions are true, then indeed has Christ died in vain, our beneficent Americanism is a delusion, and we, of all men, not only are most miserable, but most disappointed.

Again it has been repeated that "the curse of America is divorce, and its concomitant evils," and that this attitude resulting in divorce is due to disbelief in marriage as a *sacrament*.

Marriage was considered one of the seven sacraments by nearly all Christians until the Reformation, when the people of that movement, in their effort to bring Christianity back to its original simplicity, not to limit it, reduced them to two,—namely, Baptism and the Lord's Supper. The five not allowed by the people of the reformed faith are,—Confirmation, Penance, Holy Orders, Matrimony, and Extreme Unction, because these were not known in their special light to early believers.

The word "sacrament" as thus understood is not found in the Bible, was not used by our Lord, was not known to the primitive church. It is a post-apostolic term. Yet everybody now that has the slightest smattering of religious instruction reads into it meanings according to the way in which he has been trained, or not trained.

Whether calling the ordinances of the Christian church, in their various forms, "sacraments" or not adds anything to their sanctity still remains a question.

Christians to-day, as well as other religious and philanthropic people, as a rule, instead of troubling

Dubois' public career commenced after he had contrived the marriage of his pupil in 1692 to Mademoiselle Blois, a natural but legitimized daughter of the pious Louis XIV, until whose time in France the custom in some parts allowed seigneurs — it was a publicly recognized part of feudality — to debauch the daughters of their vassals, without penalty. But, to resume, for bringing about this match of his pupil to the king's illegitimate daughter Dubois received a gift of the abbey of St. Just in Picardy. It was not until 1721 that he received the cardinal's hat. He died the tenth of August, two years later, we are told, "a victim of hard work and debauchery." Indeed most of the prominent men of those days accepting all the doctrines of the church were fathers of numerous "natural" children by various mothers, without its being regarded a detriment to their dignity. Even cardinals did not hesitate to procure suitable mistresses for their royal masters, and great particularity, when possible, was exercised in this direction, for it seems that in order to be a king's mistress in those days the first condition was that she should "*be a lady of quality*." The objection to the Pompadour was not that she was an adulteress, but that she was not of a sufficiently high social position for the honor, not indeed thrust upon her, for she deliberately laid ingenious traps to catch the too willing king.

The poets, painters, and sculptors of the day created respective indecencies,—lewd books and pictures, indelicate sculptures and bronzes, which were sold with-

out protest for a long time. Poets competed for the prize of lewdness in composition. Cellini, Leonardo da Vinci, Guilio Romano, and most of their contemporaries, Michael Angelo excepted, executed libidinous works that were sold openly in Italy, and when Pope Clement issued a bull against them they found their way into France. The very silver goblets from which ladies drank at banquets were decorated with pictured orgies of indecency, as may still be seen in the locked rooms of museums.

In France it has been said and never successfully disputed that the "queen mother" controlled her court through the instrumentality of three hundred accommodating women. "*Ladies of Honor*," and at least once entertained a king and court at a banquet at which naked women, after the manner of Greece, served as waiters. This by the nominal head of one of the great Christian nations!

About other parts of the Continent at this time and previously the learned Erasmus himself, by no means an example of good taste or refinement, may be your guide, philosopher, and friend in exhibiting not only the moral grossness but illiteracy of the times and how little had been done for education. Although Hebrew, Greek, and Ancient Roman schools were always in evidence, yet it took the church six hundred years before such a thing was considered at all necessary. The credit is due to two priests, but until the time of Charlemagne there were no Christian schools or indeed any schools at all. They were not necessary to salva-

tion. In the eleventh century it was rare to find laymen in France who could read and write. The little reading done was by one man while his illiterate auditors stood around and listened. So illiterate were the people after eight or ten hundred years of Christian church control that the word clerk or clergyman became a synonym for one who could read and write. Autograph signatures are not found till about the thirteenth century. Philip the Bold, who ascended the French throne in 1272, could not write.

It was not in England until about 1400 that laymen, among whom Chaucer and Gower are illustrious examples, received occasionally a learned education. The church had her own way and it took centuries for the laity to coerce her into imparting to the common people or even to the nobility a part of the little learning that she herself had. Yet they hardly could have succeeded to any great extent, even in the ecclesiastical capital of the world, Rome, for when Victor Emanuel and Garibaldi entered it as conquerors they found that nearly 92 per cent. of the inhabitants were unable to read.

Even in the fourteenth century France, England, and Germany were wholly destitute of good Latin scholars, although Latin was the official language of the church. For some funny Latin blunders of the time we refer the reader to Martin Luther's "Table Talk."

The age of Petrarch and Boccaccio was very backward in general education. The revival of learning,

the Renaissance, as it is now known and acknowledged even by Italian scholars, came after this and was due to Islamic influence rather than Christian.

"We may praise Richard of Bury," Hallam says, "for his zeal in collecting books, and still more for his munificence in giving his library to Oxford for the use of scholars, but his own erudition appears crude and uncritical, his style indifferent, and his thoughts superficial. Yet he did not have an equal during his century, the fourteenth."

About monks Erasmus says: "Though this class of men are so detested by everyone that it is reckoned unlucky so much as to meet them by accident, they think nothing equal to themselves, and they hold it a proof of their consummate piety if they are so illiterate as not to be able to read. And when their asinine voices bray out in the churches their psalms, of which they understand the notes only and not the words, then it is that they fancy that the ears of the saints above are enraptured with the harmony."

But enough. For surely the men who assure us that the world is getting worse and declare that our America is morally deteriorating in consequence of her not accepting the Catholic doctrine of marriage as one of the seven sacraments must have spent their days in the windowless study of the younger Pliny, and without even having looked at his books,

CHAPTER XVIII

WILLIAM OF MALMSBURY, speaking of the degraded manners of the Christian Anglo-Saxon, writes:

"These nobles, devoted to gluttony and voluptuousness, never visited the church, but the matins and the mass were read to them by a hurrying priest in their bedchambers before they rose, themselves not listening." Again: "The common people were a prey to the more powerful, their property seized, their bodies banished, their maidens were either thrown into brothels or sold as slaves." He continues: "Drinking day and night was the general pursuit, vices the companions of inebriety followed, effeminating the mind." Again: "The baronial castles were dens of robbers."

Even dignitaries as high as the Archbishop of Canterbury and Thomas à Becket, the antagonist of an English king, for example, swarmed with vermin. The use of perfumery, borrowed from the clean Saracens where it was used as a pleasurable gratification of the sense of smell, was resorted to by their Christian contemporaries to conceal foul personal odors. This indicates the social and religious condition of the world, with here and there an exception,—generally in the way of eccentric piety,—piety carried to some ridiculous excess, as in the way of wearing hair shirts, extravagant fasting, soul-racking

penances. Some of the aspirants to spiritual perfection in those days, as a possible escape from the sin contagion of the world, dwelt in tombs, like the demoniacs mentioned in Scripture. Others added to the stupendous weight of suffering the additional burden of heavy chains, collars, bracelets, gauntlets, and greaves of massive iron; others disdained even the clothing necessary to cover them, and wandered about naked.

But just to show that such inanities are still qualifications for canonization in times nearer to our own, in lands not influenced by modern religious enlightenment, we will cite but one example. St. Rose, of Lima, was canonized by Clement X in 1673, only about a hundred years before the publication of our own Declaration of Independence, that immortal document that permitted freedom of worship to all men, written by a man that has been traduced and slandered by the people for whom he secured such freedom.

"This young lady," we are told, "born of Christian parents, in South America, from the period of her birth shone with the presages of future holiness." Her face as an infant was miraculously transfigured into the image of a rose which caused her to be called by this name, to which the Virgin Mary added the surname, commanding her henceforth to be designated the "Rose of St. Mary." "She vowed perpetual virginity at the early age of five years."

The following account of the austerities she practiced is extracted from the bull of her canonization:

“ She changed the stones and crosses (with which when going to prayer in her childhood, and as yet ignorant of whips, she was loaded by her maid Mari-anne, who was almost the only person conscious of her mortifications) into iron chains, which she prepared as scourges, and after the example of St. Dominic, every night she offered herself a bloody victim to God to avert his just anger, even to the copious effusion of streams of blood, either for the sorrows of the holy church, or for the necessities of the endangered kingdom of the city of Lima, or for compensating the wrongs of sinners, or for making an expiation for the souls of the dead, or for obtaining divine aid for those who were in their last agonies; the servant being sometimes horror-struck at the dreadful blows of the chains. And when the use of these were forbidden her she privately encircled her waist with one of them, bound thrice around her, so that it never was apparent that she wore it except when she was under the torture of sciatica, when the chain was loosened by a miracle. Its links after the Virgin’s death were found to emit a wondrous and indescribable sweet odor. Lest any part of her innocent body should be free from suffering, she tortured her arms and limbs with penal chains and stuffed her breasts and sides with handfuls of nettles and small briars. She afterward increased the sharpness of the hair cloth that reached from her neck beneath her knees by needles mixed up with it, which she used for many years, until she was ordered to put it off on account of the frequent vomiting of

blood. Her feet only were free from the irritation of these blessed garments; but by hitting them with stones and burning them at an oven she did not allow them to escape. She fixed upon her head a tin crown, with sharp nails in it, so that when she put it on it drew blood, and as she grew older the crown was replaced by one with ninety-nine lacerating points. She desired the hardness of her bed to be such that it should rather drive away than induce sleep. . . . Her pillow was either an unpolished trunk, or stones concealed for this purpose, which bed she afterward so filled with sharp pieces of tiles and triangular fragments of broken jugs that the sharp points of each should be turned to her body. Nor did she try to sleep until she had embittered her mouth with a draught of gall.

“Near the time of her death Rosa throughout Lent alternately sang the canticles and praises of God every day for whole hours with a very melodious bird, in so orderly a manner that when the bird sang the virgin was silent, and when the virgin sang, the bird, who was most attentive, ceased to sing. She invited, moreover, the inanimate plants to praise and pray to God, pronouncing the verse, *Benedicite universa Germinantia in terra Domino*, and so visibly persuaded them that the tops of the trees touched the earth as if adoring their Creator with a solemn veneration.” All the above, and more, affords an extraordinary illustration of the exalted piety from which we have deteriorated.

The fact, to the contrary, is that you may go through

the Roman Breviary and Mabillon's *Acta Sanctorum* without finding a single act of rational piety in any of them. It is no wonder that the people brought up on this sort of blasphemy against a reasonable God should act, reason, and appear different from other people, and so traduce their rational contemporaries as to charge them with moral deterioration.

Just as there is nothing that sanctifies life like friendship, so there is nothing that embitters it like strife. Nevertheless, we protest against the supercilious, self-satisfied arrogance of the man, or the men, who maintains or asserts the moral retrogression of his own period and, as a necessary corollary, that the purposes of God have failed.

CHAPTER XIX

IN the ninth century the wives of priests were openly acknowledged and were known as priestesses, and it became so much of a scandal that their priestly husbands were even charged with marrying off their daughters with churches as dowries. "The Bishop of Dole made free with the property of the church to set up his daughters in wedded splendor." The priest's wife in that same century, the ninth, took her place near her husband, and not far from the altar, and the wife of the bishop claimed precedence over a countess.

Gregory VII, on his accession to the papal throne, found priests in every direction either with wives or mistresses, surrounded with children. The synod at Rome, 1074 A. D., was assembled by him for the enactment of decrees ordering an immediate separation of priests from women, whether as wives or concubines. These laws or restrictions were recommended with the most ferocious threatenings.

The Archbishop of Mentz held a synod at Erfurt to persuade his priests to give up their wives. His effort filled them with anger, and they threatened to kill or to depose him.

Let any one doubting the moral superiority of the present as compared with the past read Michelet on

“ Auricular Confessions,” p. 136, as an illustration of the vileness of the people before the Reformation, or let him read the specimens of moral filthiness recorded in Bailly, Peter Dens, and Saint Alphonsus Liguori in relation to the iniquities of the faithful, who died in the odor of sanctity, and believed in the seven sacraments, and were untouched by modern heresy. Many of them are too horrible to transcribe and shall not appear in this book. Yet they are the things recorded in the religious text-books of the past as being common among the people to such an extent that priests received special instruction in regard to the manner in which such outpourings of personal filthiness should be received in the confessional. The people who charge the present with being worse than the past and the world with moral retrogression from older and better customs, do not know, or pretend that they do not know, what the past was.

CHAPTER XX

JUDGING from what may frequently be seen or overheard, it would seem as if there were an ignoble and disloyal conspiracy entered into by a class of our inhabitants, who exhibit, like Mephistopheles, the spirit of bitter mockery and of subtle and sophisticated abuse of everything we do. Even our benefactions are held up to ridicule. These persons would appear to have the ear of the public, and, though they are not great in either numbers or ability, take advantage of every opportunity to pour their reptilian venom into ears so credulous that they regard every utterance of slander as Gospel verity. Such persons have no true historic perspective, being mere newspaper readers, who form their opinion of the times from the head-lines of scandal or the pulpit "eloquence" of denunciation, and interpret us accordingly.

To them, when there are not a half-dozen children in every family, it is because the ought-to-be-parents are experts in the arts of "race suicide,"—a vile phrase. They point to the promenades of native opulence which are filled with palaces and with circumambient gardens, and are occupied by established people beyond the age of child-bearing, who naturally have few children about them. They compare these abodes of the well-to-do with the nooks and alleys of closely set houses,

which are filled with young foreign people at the height of procreative activity, there being a married couple in every room, and the steps of each house being crowded with children. Then they claim that this is proof of the truthfulness of their slander.

This is the attitude of people who traduce us, and who have some ulterior purpose in our vilification. And we are "as slow as snails crawling through tar" in resenting the insult.

If churches are not packed to the doors with overcredulous multitudes, then the world is all agog with crime and disorder and we have become "a nation of agnostics, unitarians, and other infidels," on the primrose way to the everlasting bonfire. Yet a well-known Italian city, with a half a million inhabitants and with five hundred churches, open for divine service night and day, and some of them the most sumptuous and elaborate in the world, commits ten times more crimes of impudicity in a year than the same number of Americans, with far fewer churches, would commit in twenty years.

If a man expresses an independent religious thought in America to-day, then the land is heralded to the four winds as being full of skepticism, as having abandoned the Christian verities and cut the bond binding it to the Infinite. If some deluded woman elopes with another woman's husband, or if "Miss Romance" runs away with her father's coachman, or if "Madame Frivolity" resorts to the imbecility of promiscuous divorce, the "sanctity of the home is gone forever"—

and we are all but "waiting for opportunities of Mormon liberality."

If a crowd of boys help themselves to a few bunches of grapes growing on another man's vine, and run away hooting from the pursuing policeman, then "children were never worse," and "respect for authority" and "parental reverence" have vanished — and oh! the multiplied horrors of divorce!! as if we were the performers in a comic opera, with everybody just waiting for the moment of a midnight elopement — and so on *ad infinitum*.

To be sure there is room for improvement. But can it not be seen by what we have presented of the past that the world is not getting worse but better, that we are rather angels in the home of domestic propriety as compared with older times, when history was a series of domestic horrors, and when enthroned authority set the worst example?

If the reader is not convinced that the people to-day, especially in America, are living better lives than were ever lived before, then he must indeed be the slave of an exploded theory, and believe that God made a mistake in creating us. For that reader at least this unpretentious volume is but hollow vanity.

We believe, and modern Christians in America believe, notwithstanding printed contradiction, that promiscuous divorce is inconsistent with the highest ethics, and is usually but an imbecility of the futile and incapable. We believe, too, that there are even divorced persons married again in America, contrary to the re-

religious standard of the land, who are living as loyally to their sacred obligations as did the people of any age, when marriage was regarded as a sacrament, and when entrenched authority, contrary to the teachings of Christ, declared it indissoluble. And we believe, too, that the time will come when unsanctified divorce will be exfoliated from the national life, just as the skin is from the body of a person convalescing from an eruptive fever.

Such conditions are as common among the youth of nations as among the youth of humanity.

What the world needs as a barrier in the way of unnecessary divorce in America is the adoption of the religion of Jesus by all the people. With the acceptance of Christ's teaching there would be no need of additional legislation.

But this seems impossible, or, under present circumstances, extremely difficult. The next best remedy, to paraphrase from a great legal authority, would be that since wedlock is a natural right, to be forfeited only by some wrong on the part of either contracting party, the central government should permit every suitable person who will substantially perform the duties of the matrimonial relation, to be the husband or wife of another. This should be done by the enactment of just laws, which should be uniform in all the States. When this matrimonial relation is entered into in good faith, and one of the parties to it so far fails in the duties involved as practically to frustrate its ends, the government should provide some means by which the

innocent party may be freed from the mere legal bond of what in fact has ceased to be marriage, and be left at liberty to form another alliance. The delinquent's failure should be fully established and shown to be permanent and in no way due to the fault of the other party. And the delinquent should have no claim to be protected in a second marriage. Whether it should be permitted to him or not is not a question of right to him, but of public expediency.

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